

**FINANCE/EXECUTIVE COMMITTEE**

**AGENDA**

**DECEMBER 12, 2007**

**A. ADOPTION OF AGENDA**

**B. APPROVAL OF MINUTES**

**C. COMMUNICATION**

- 07-C-2547 ( 1) A Communication by Mayor Shirley Franklin re-appointing **Ms. Cassandra Lawson** as a member of the Civil Service Board for the City of Atlanta. This re-appointment is for a term of three (3) years, scheduled to begin on the date of Council confirmation.

**CONSENT REPORT**

**D. ORDINANCES FOR FIRST READING**

- 07-O-2586 ( 1) An Ordinance by Finance/Executive Committee to amend Section 154-55 of the City of Atlanta, Code of Ordinances, so as to authorize the Commissioner of Watershed Management to automatically refund deposits or credits on closed accounts for water service; and for other purposes.
- 07-O-2587 ( 2) An Ordinance by Finance/Executive Committee providing for (1) the sale of \$\_\_\_\_\_ City of Atlanta General Obligation Public Improvement Bonds, Series 2008A (the "Bonds"); (2) the redemption of Bonds prior to Maturity upon certain terms and conditions; (3) the execution and delivery of said Bonds; (4) the forms of said Bonds; (5) the levy of a continuing direct annual Ad Valorem Tax without limit as to rate or amount to pay the Bonds and the interest thereon when due and payable; (6) the creation and Maintenance of a project fund and a Bond fund; (7) the authorization of the execution and delivery of a Bond purchase agreement among the City of Atlanta and the purchasers of the Bonds; (8) the approval of an Official Statement with respect to said Bonds and authorizing the execution and delivery thereof; (9) the execution of a Certificate pertaining to the use of the proceeds derived from the sale of said Bonds; (10) the undertaking of a continuing disclosure commitment in compliance with S.E.C. Rule 15c2-12(b)(5) and (11) for other purposes

**REGULAR REPORT**

**E. ORDINANCES FOR SECOND READING**

- 07-R-2540 ( 1) An Ordinance by Finance/Executive Committee amending the City of Atlanta Occupation Tax Ordinance by the addition and deletion of certain language for the purpose of



**REGULAR REPORT**

**E. ORDINANCES FOR SECOND READING (CONT'D)**

clarifying the operation of Sec. 30-63; confirming the effect of City Code Sec. 2-105 on this ordinance; and for other purposes.

- 07-O-2592 ( 2) An Ordinance by Councilmember Felicia A. Moore to authorize the Mayor to enter into a Contract with Fulton County to Conduct a City of Atlanta Special Election to be held on February 5, 2008 to present a Referendum reimposing a one per cent sales and use tax for the purpose of funding water and sewer projects pursuant to Article 4 of Chapter 8 of the Official Code of Georgia Annotated and City of Atlanta Resolution 07-R-1114; to appoint the Fulton County Board of Registration and Elections, with the Director or Interim Director of the Fulton County Department of Registration and Elections Acting as its agent, as Municipal Election Superintendent for the purpose of conducting said election, as Absentee Ballot Clerk and as Municipal Registrar; and for other purposes.

**F. RESOLUTIONS**

- 07-R-2588 ( 1) A Resolution by Finance/Executive Committee authorizing the Mayor or her designee to enter into a Cooperative Purchasing Agreement pursuant to Section 2-1601 et. seq. of the City of Atlanta Code of Ordinances, utilizing the State of Georgia Contract #NASPO/WSCA A63307 with Dell Marketing, LP, for the Lease of Computer Equipment and Maintenance for a period of Five (5) years, on behalf of the Department of Information Technology, in an amount not to exceed \$776,654.04 per year; all contracted work shall be charged to and paid from Fund, Account and Center Number 1A01 (General Fund) 575001 (Equipment) E25004 (IT Server Management); and for other purposes.
- 07-R-2589 ( 2) A Resolution by Finance/Executive Committee authorizing the Mayor to execute Change Order No. 2 with M. C. Dean, Inc., for Contract No. FC-7687-04, Security Access Control System, on behalf of the Department of Aviation, in an amount not to exceed \$1,657,500.00; all contracted work will be charged to and paid from Fund, Account and Center Numbers 2H26 (Airport Passenger Facility Charge Fund) 574001 (FAC. Other Than Bldgs) R21E012096AA (Security Improvements); and for other purposes.



**G. PAPERS HELD IN COMMITTEE**

- 06-R-1667 ( 1)     An **Amended** Resolution by Finance/Executive Committee authorizing the Mayor to execute a Master Agreement with TDC Systems Integration, Inc., for FC-6006007881, for Citywide On-call Services for Information Technology Staffing; authorizing the Chief Information Officer of the Department of Information Technology, the Director of Information Technology of the Department of Watershed Management and the Aviation Information Systems Director of the Department of Aviation, to execute all statements of work; all contracted work will be charged to and paid from Various Fund, Account and Center Numbers; not to exceed \$400,000.00 per year for each department, specifically Watershed Management, Aviation and Information Technology, with the total cost not to exceed \$1,200,000.00; and for other purposes. **(Amended and held 8/16/06 at the request of the Committee to allow time pending additional review.)**
- 06-O-1924 ( 2)     An Ordinance by Councilmembers Howard Shook, Jim Maddox, H. Lamar Willis and Ceasar C. Mitchell to provide for the Annexation of land known as the Sandtown Community to the corporate limits of the City of Atlanta; to provide for the notification of the Department of Community Affairs; and for other purposes. **(Referred back by Council 12/04/06) (Held 12/13/06 until such time that the community sponsor requests that the annexation application be withdrawn, it expires or the annexation process is restarted.)**
- 06-O-1926 ( 3)     An Ordinance by Councilmembers Howard Shook, Jim Maddox, H. Lamar Willis and Ceasar C. Mitchell to provide for the Annexation of land known as the Cascade Glenn to the corporate limits of the City of Atlanta; to provide for the notification of the Department of Community Affairs; and for other purposes. **(Referred back by Council 12/04/06; Held 12/13/06 until such time that the community sponsor requests that the annexation application be withdrawn, it expires or the annexation process is restarted.)**
- 06-O-2250 ( 4)     An Ordinance by Councilmember Jim Maddox to provide for the annexation of land to the Corporate Limits of the City of Atlanta, Georgia; to provide for the notification of the Department of Community Affairs of the State of Georgia of such annexation; and for other purposes. **(Held 10/11/06 at the request of the Law Department.)**



**G. PAPERS HELD IN COMMITTEE (CONT'D)**

- 07-O-0138 ( 5)     An Ordinance by Councilmember Ceasar Mitchell to amend the Procurement Code of the City of Atlanta, Georgia by adding to Section 2-1142, Monthly Report to City Council; and for other purposes. **(Held 1/31/07 at the request of the Department of Procurement for an additional study.)**
- 07-O-0622 ( 6)     An Ordinance by Councilmembers Carla Smith and Anne Fauver authorizing the City of Atlanta to waive the Competitive Procurement Provisions contained in Article X, Procurement and Real Estate Code, of the City of Atlanta Code of Ordinances to maximize efficiency in Purchasing Systems Furniture for several City of Atlanta Capital Projects; and for other purposes. **(Held 3/28/07 pending a substitute to include other projects.)**
- 07-O-0623 ( 7)     An Ordinance by Councilmember Jim Maddox to provide for the Annexation of 4505 Birdie Lane, SW, Atlanta, Georgia, 30331, 0.404 acres of land located in Land Lot 61 of the 14<sup>th</sup> District of Fulton County to the Corporate Limits of the City of Atlanta, Georgia; to provide for the notification of the Department of Community Affairs of the State of Georgia of such annexation; and for other purposes. **(Held 3/38/07 to ensure annexation procedures are executed appropriately.)**
- 07-O-0624 ( 8)     An Ordinance by Councilmember Jim Maddox to provide for the Annexation of land known as Cascade Falls Subdivision to the Corporate Limits of the City of Atlanta; to provide for the notification of the Department of Community Affairs; and for other purposes. **(Held 3/28/07 pending review to determine additional properties contiguous to the city are identified and included in the annexation.)**
- 07-O-0968 ( 9)     An Ordinance by Councilmember Jim Maddox to provide for the Annexation of land known as the Orkney/Lanark Drive Community to the corporate limits of the City of Atlanta; to provide for the notification of the Department of Community Affairs; and for other purposes. **(Held 5/16/07 due to State requirement.)**
- 07-O-0969 (10)     An Ordinance by Councilmember Jim Maddox to provide for the Annexation of land known as the Huntington Community (Pompey Drive/Old Fairburn Road) to the corporate limits of the City of Atlanta; to provide for the notification of the Department of Community Affairs; and for other purposes. **(Held 5/16/07 due to State requirement.)**



**G. PAPERS HELD IN COMMITTEE (CONT'D)**

- 07-O-0974 (11) An Ordinance by Councilmember C. T. Martin **as Substituted by Finance/Executive Committee** to amend Article V Classification Plan, of the Code of Ordinances, City of Atlanta, Georgia, so as to create 215 positions in the Atlanta Police Department; and for other purposes. **(Held 5/16/07 in conjunction with consideration of 2008 Budget.)**
- 07-R-1086 (12) A Resolution by Finance/Executive Committee authorizing the Mayor or her designee to enter into a Cooperative Purchasing Agreement pursuant to Chapter 2, Article X, Division 15, Section 2-1601 et seq., of the City of Atlanta Code of Ordinances, utilizing State of Georgia Contract # SWC50755 with Bank of America, N. A., on behalf of the Department of Finance, for the use of Bank of America Visa Purchasing Cards and Associated Services; and for other purposes. **(Held 5/30/07 pending receipt of documentation that the recommendations from the Credit Card Audit are met.)**
- 07-O-1087 (13) A **Substitute** Ordinance by Finance/Executive Committee authorizing the Chief Financial Officer to allow the City to impose a verification/convenience fee in the amount of \$4.50 on credit cards users, on-line payment users, electronic check users, or interactive voice response users submitting payments for fees and/or fines imposed by the City of Atlanta such as those associated with Traffic Enforcement and Water and Wastewater City Services; to recover the cost the City pays to third-party vendors to process such payments; all collected funds will be deposited into various Fund, Account and Center Numbers; and for other purposes. **(Held 6/13/07 for NPU notification and Public Hearing 8/1/07; Referred from Full Council 8/20/07; Held 8/29/07 by the Department of Finance for additional clarification.)**
- 07-R-1904 (14) A Resolution by Councilmember Joyce Sheperd that encourages members of the United States Congress to support the Employee Free Choice Act which authorizes the National Labor Relations Board to certify a union as the bargaining representative when a majority of employees voluntarily sign authorizations designating that union to represent them. **(Held 9/12/07 for further review and clarification on how this impacts the City.)**



**G. PAPERS HELD IN COMMITTEE (CONT'D)**

- 07-R-2138 (15) A Resolution by Councilmember Ceasar. C. Mitchell to support H. R. 2447 to establish an Energy and Environment Block Grant Program that is presently before the United States Congress; and for other purposes. **(Held 10/10/07 per Committee Chair pending cost benefits analysis from Washington Lobbyist.)**
- 07-R-2139 (16) A Resolution by Councilmember Ceasar. C. Mitchell to endorse H. R. 3535 Homebuyer's Protection Act of 2007 pending in the United States Congress; to urge the Georgia Congressional Delegation to support the Act; and for other purposes. **(Held 10/10/07 per Committee Chair pending cost benefits analysis from Washington Lobbyist.)**
- 07-R-2431 (17) A Resolution by Councilmembers Clair Muller, Mary Norwood, Ivory Lee Young, Jr., Joyce Sheperd, H. Lamar Willis, Carla Smith, Jim Maddox, Ceasar Mitchell, Cleta Winslow and Kwanza Hall to support Rebates for Retrofits for Low-Flow Toilets; and for other purposes. **(Held 11/19/07 by the Committee for additional consideration.)**
- 07-R-2469 (18) A **Substitute** Resolution by Finance/Executive Committee authorizing the Mayor to enter into an Contractual Agreement with the Xerox Corporation, to Operate and Manage the Document Service Center in the Atlanta City Hall and City Hall East, as a cost savings benefit for city departments on behalf of the Executive Offices - Office of Enterprise Assets Management, in an amount not to exceed \$119,088.00. All funds to be paid from Fund, Account, Center Number: 1A01 (General Fund) 524001 (Consultant Services) D81012 (Printing Facilities - City Hall South); and for other purposes. **(Held 11/28/07 by the Committee for additional discussion.)**
- 07-R-2470 (19) A **Substitute** Resolution by Finance/Executive Committee authorizing the Mayor, on behalf of the Executive Office - Office of Enterprise Assets Management, to enter into a Memorandum of Understanding ("MOU") with the Atlanta Workforce Development Agency, for the purpose of implementing a Culinary Training Program in the City Hall Cafeteria, for a period of two (2) years with two (2) one year renewal options, in an amount not to exceed \$25.00 monthly; that all revenue received pursuant to this MOU shall be deposited into Fund, Account and Center Number: 1A01 (General Fund) 462311 (Food, Drink & Notions) B00001 (Revenue Center); and for other purposes.



**H.    ITEMS NOT ON THE AGENDA**

**I.    ADJOURNMENT**





07-C -2547

## CITY OF ATLANTA

SHIRLEY FRANKLIN  
MAYOR

55 TRINITY AVENUE, S.W.  
ATLANTA, GEORGIA 30303-0300  
TEL (404) 330-6100

November 5, 2007

President Lisa Borders and  
Members of Atlanta City Council  
City Hall, Suite 2900 South  
68 Mitchell St., S.W.  
Atlanta, Georgia 30303

**RE: Civil Service Board Re-Appointment**

Dear President Borders and Members of the Council:

It is a pleasure for me to re-appoint Cassandra Lawson to serve as a member of the Civil Service Board for the City of Atlanta. This re-appointment is for a **term of three (3) years**.

I am confident that Ms. Lawson will continue to serve the Civil Service Board with integrity and dedication.

Sincerely,



Shirley Franklin

C-1



## **CASSANDRA A. LAWSON**

450 Piedmont Avenue, N.E., #1002, Atlanta, Georgia 30308

(404) 516-2052; E-mail:lawsonesquire@msn.com

### **LEGAL EXPERIENCE:**

#### **DEPARTMENT OF TRANSPORTATION, GEORGIA**

Title VI/Environmental Justice Specialist

2001 - Present

- Lead responsibility for Title VI and environmental justice discrimination investigations.
- Document findings and present recommendations.
- Investigate and enforce compliance with regulations for Federally-funded programs and activities that intentionally or unintentionally result in impacts affecting communities on race, color, national origin, sex, or economic disadvantage.
- Draft legal memoranda, opinion letters, and related documents.
- Manage all phases of discovery, conferences, periodic site reviews and negotiations.
- Coordinate and work closely with stakeholder organizations, Federal contractors, trade and business organizations to facilitate efforts in developing program reports, policy recommendations, and standard operating procedures.
- Project Manager for statewide effort to comply with Title VI and develop agency-specific environmental justice strategies.
- Conduct training sessions and make presentations concerning Title VI investigations and compliance measures.

#### **Additional duties:**

- Lead Mediator in cases brought before the Georgia Merit System; provide legal expertise in resolving employment disputes.
- Conduct on-site reviews for Disadvantaged Business Enterprise (DBE) Program applicants applying for certification.
- Conduct field investigations to obtain information about eligibility of DBE's for certification pursuant to Federal and state laws, detecting fraudulent activities or allegations.
- Provide data and analysis of interviews and investigations.
- Aid DBE's in certification and recertification efforts.
- Recommend approval or denial of DBE certification.
- Assist with special projects.

#### **LAWSON & ASSOCIATES, P.C.**

Founder

1998 - 2002

- Proven and demonstrated ability to litigate and arbitrate Federal and state employment and labor cases arising before U.S. District Courts, EEOC, Merit Systems Protection Board, and neutral arbitration panel for federal agency grievances.
- Provide representation to individuals and organizations in Federal and private sector employment matters regarding discrimination complaints, disciplinary and adverse actions, performance-related matters, wrongful discharge, collective bargaining agreement interpretations, and labor-management relations.
- Research and gather facts, legal analysis, and resolution of novel and complex legal issues.
- Draft legal memoranda, briefs, opinion letters, settlement documents, and related pleadings.
- Manage all phases of trial work, discovery, conferences, and settlement negotiations.
- Accomplished in advising, persuading, and motivating clients in problem-solving techniques.



- Extensive knowledge of collective bargaining agreements, Title VII, ADA, ERISA, FLRA.
- Participate in various speaking engagements on Title VII, civil rights and related employment law issues.

**RONALD A. WHITE, P.C.**Litigation Associate

1994 - 1997

- Responsibilities included litigation in areas of labor relations, employment discrimination, contracts, premises liability, eminent domain proceedings, and personal injury cases.
- Investigated unfair labor practice charges and wrongful discharge matters.
- Drafted and responded to Temporary Restraining Orders, EEOC, NLRB, and State Human Resources Commission position statements and charges.
- Researched and drafted pleadings, pre-trial and post-trial motions, memoranda of law, and opinion letters to clients.
- Managed all phases of discovery, represented and defended depositions.
- Conducted voir dire, served as first and second chair at trial.
- Prepared and presented jury instructions, evidence and exhibits for trial.
- Extensive knowledge of collective bargaining agreements, Title VII, ADA, ERISA, FLRA.
- Assumed criminal defense representation.

**TEMPLE LEGAL AID**Clinical Intern

1994 - 1994

- Represented clients in family law matters pertaining to custody, divorce, support modification, as well as related area of adoption and guardianship.
- Trial preparation consisted of drafting pleadings and witness preparation.
- Participated as counsel during administrative hearings and trial conferences.
- Conducted initial client intake.

**NATIONAL FOOTBALL LEAGUE MANAGEMENT COUNCIL (NFL)**Labor Relations Law Clerk

1993 - 1993

- Performed extensive research and writing involving athlete injury arbitration cases.
- Prepared league's and member club's post-arbitration briefs essential to collective bargaining agreement interpretations, personal injury, and wrongful discharge matters.

**LOS ANGELES RAIDERS**Labor Relations Law Clerk

1992 - 1992

- Involved in all aspects of management labor relations, primarily legal advice impacting athlete injury grievances.
- Researched and summarized Federal and state labor and employment cases.
- Investigated novel legal issues and consulted with player personnel and expert witnesses.

**BUSINESS EXPERIENCE:****BLUE CROSS OF CALIFORNIA**Auditor I, II

1987 - 1991

- Managed audits of client's financial statements impacting \$50K - \$10MM.



- Reviewed cost statements for accuracy and compliance with Medicare Regulations and Generally Accepted Accounting Procedures.
- Performed preliminary review and initial analysis of financial related records.
- Conducted entrance conference with client to outline the area(s) of coverage.
- Thoroughly reviewed any prior audit records or other related materials, noting problem areas or special concerns.
- Traced and verified reported revenue and expenses to various source documents; reconciled accounts and verified details of recorded transactions.
- Completed audit schedules in a timely manner.
- Conducted exit conference and proposed adjustments to correct any discrepancies noted.

**EDUCATION:****TEMPLE UNIVERSITY SCHOOL OF LAW**

Philadelphia, Pennsylvania

Juris Doctor, 1994

Honors: Law Merit Scholarship; Law Foundation Scholarship

Activities: President, Entertainment and Sports Law Association, 1993-1994  
Publicity Director, Entertainment and Sports Law Association, 1992-1993

**MORGAN STATE UNIVERSITY**

Baltimore, Maryland

Bachelor of Science, Business Administration, 1986

Honors: AICPA Academic Scholarship; Dean's List

**BAR ADMISSIONS and CERTIFICATIONS:**

State Bar of New Jersey (inactive).

Mediator, State of Georgia Dispute Resolution Center.

**ACTIVITIES:**

Member (pending), National Coalition of 100 Black Women, Northwest Georgia Chapter, Inc.; Member, Volunteer Involvement Program (VIP), United Way Metropolitan Atlanta; Corresponding Secretary, Morgan State University Alumni, Georgia Chapter, July 2003 – July 2005; Volunteer, United Way Metropolitan Atlanta, Fulton County Investment Committee; Mentor, Atlanta-Adopt-A-School-Program, September 2001 – May 2002; Volunteer, NAACP, Legal Redress Committee, March 2001 – May 2003.

**REFERENCES AVAILABLE UPON REQUEST**



**AN ORDINANCE  
BY FINANCE/EXECUTIVE COMMITTEE**

**AN ORDINANCE TO AMEND SECTION 154-55 OF THE CITY OF ATLANTA, CODE OF ORDINANCES, SO AS TO AUTHORIZE THE COMMISSIONER OF WATERSHED MANAGEMENT TO AUTOMATICALLY REFUND DEPOSITS OR CREDITS ON CLOSED ACCOUNTS FOR WATER SERVICE; AND FOR OTHER PURPOSES.**

**WHEREAS**, the City of Atlanta ("City") Department of Watershed Management ("Department") as authorized by the Mayor and Council, establishes operational guidelines, rates and charges for water and sewer service supplied by the Department of Watershed Management; and

**WHEREAS**, as authorized by Section 154-55 of the City of Atlanta, Code of Ordinances, the Commissioner of the Department may require a deposit prior to and as a condition of the establishment or the restoration of water service; and

**WHEREAS**, deposits are refunded when accounts are closed and any unpaid balance is satisfied or after five (5) years of interrupted water service where the Department has not terminated service; and

**WHEREAS**, the Department desires to change the current policy of requiring a customer to request a refund before obtaining the remaining deposit or credit on the account; and

**WHEREAS**, the Department desires to amend the Code of Ordinances to authorize the Department to automatically refund deposits for water service at any address within the service area of the water department.

**THE CITY COUNCIL OF THE CITY OF ATLANTA HEREBY ORDAINS** as follows:

**Section 1.**

That Section 154-55 (f) which currently reads:

(f) When accounts are closed, the deposit credited to such accounts shall be applied to any unpaid balance. Any credit remaining after unpaid balances are satisfied may, at the customer's request, be refunded without interest or transferred without interest to another account to serve as a deposit or a portion of the required deposit for such new account.

shall be deleted and replaced with the following:

**Section 2.**

(f) When accounts are closed, the deposit collected for such accounts shall be applied to any unpaid balance. Any funds remaining for the account after unpaid balances are satisfied shall be refunded within sixty (60) days without interest, or upon customer



request, shall be transferred without interest to another account to serve as a deposit or a portion of the required deposit for such new account.

### **Section 3.**

That Section 154-55 (g) which currently reads:

(g) Any deposit unclaimed within 12 months after the account to which it is credited is closed shall be transferred from the water and sewer revenue fund to the water and sewage renewal and extension fund.

shall be deleted and replaced with the following:

(g) Any deposit returned to the department with no forwarding address, or otherwise unclaimed within 12 months after the account to which it is credited is closed, shall be transferred from the water and sewer revenue fund to the water and sewage renewal and extension fund.

### **Section 4.**

If any provision, clause, sentence or paragraph shall be held invalid, such invalidity shall not affect the other provisions or application of the provisions of this article which can be given effect without the invalid provisions or application and, to this end, the provisions of this Section are hereby declared to be severable.

### **Section 5.**

That all Ordinances and parts of Ordinances that are in conflict herewith are hereby repealed to the extent of the conflict.



**Part II: Legislative White Paper:**

**A. To be completed by Legislative Counsel:**

**Committee of Purview:** Finance/Executive

**Caption: AN ORDINANCE  
BY FINANCE/EXECUTIVE COMMITTEE**

**AN ORDINANCE TO AMEND SECTION 154-55 OF THE CITY OF ATLANTA, CODE OF ORDINANCES, SO AS TO AUTHORIZE THE COMMISSIONER OF WATERSHED MANAGEMENT TO AUTOMATICALLY REFUND DEPOSITS OR CREDITS ON CLOSED ACCOUNTS FOR WATER SERVICE; AND FOR OTHER PURPOSES.**

**Council Meeting Date:** January 7, 2008

**Requesting Dept.:** Watershed Management

**B. To be completed by the department:**

**1. Please provide a summary of the purpose of this legislation (Justification Statement).**

The purpose of this legislation is to change Article III Section 154-114 in order to allow the department to automatically refund Water and Sewer customers with a credit balance without a written request from the customer and to automatically refund the remaining deposit credit balance after unpaid balances are satisfied without a written request from the customer.

**2. Please provide background information regarding this legislation.**

(f) When accounts are closed, the deposit credited to such accounts shall be applied to any unpaid balance. Any credit remaining after unpaid balances are satisfied may, at the customer's request, be refunded without interest or transferred without interest to another account to serve as a deposit or a portion of the required deposit for such new account.

**3. If Applicable/Known:**

(a) **Contract Type (e.g. Professional Services, Construction Agreement, etc):**



(b) Source Selection:

(c) Bids/Proposals Due:

(d) Invitations Issued:

(e) Number of Bids:

(f) Proposals Received:

(g) Bidders/Proponents:

(h) Term of Contract:

4. Fund Account Center (*Ex. Name and number*):

Fund: \_\_\_\_\_ Account: \_\_\_\_\_ Center: \_\_\_\_\_

5. Source of Funds: *Example: Local Assistance Grant*

6. Fiscal Impact:

7. Method of Cost Recovery:

This Legislative Request Form Was Prepared By: Maisha L. Wood



TRANSMITTAL FORM FOR LEGISLATION

TO: MAYOR'S OFFICE

ATTN: GREG PRIDGEON

Department's Legislative Liaison Maisha L. Wood

Contact Number: x6887

Originating Department: Watershed Management

Committee(s) of Purview: Finance/Executive

Council Deadline: December 3, 2007

Anticipated Committee Meeting Date(s): December 12, 2007

Anticipated Full Council Date: January 7, 2008

Legislative Counsel (Signature): [Signature]

Commissioner Signature Robert J. Hunter <sup>SCP</sup>

Chief Procurement Officer Signature: N/A

CAPTION

AN ORDINANCE  
BY FINANCE/EXECUTIVE COMMITTEE

AN ORDINANCE TO AMEND SECTION 154-55 OF THE CITY OF ATLANTA, CODE OF ORDINANCES, SO AS TO AUTHORIZE THE COMMISSIONER OF WATERSHED MANAGEMENT TO AUTOMATICALLY REFUND DEPOSITS OR CREDITS ON CLOSED ACCOUNTS FOR WATER SERVICE; AND FOR OTHER PURPOSES.

FINANCIAL IMPACT (if any):

Mayor's Staff Only

Received by CPO: \_\_\_\_\_ Received by LC from CPO: \_\_\_\_\_

(date) 11/29/07 (date) [Signature]  
Received by Mayor's Office: \_\_\_\_\_ Reviewed by: \_\_\_\_\_  
(date) (date)

Submitted to Council: \_\_\_\_\_  
(date)



AN ORDINANCE BY

FINANCE/EXECUTIVE COMMITTEE

**AN ORDINANCE PROVIDING FOR (1) THE SALE OF \$ \_\_\_\_\_ CITY OF ATLANTA GENERAL OBLIGATION PUBLIC IMPROVEMENT BONDS, SERIES 2008A (THE "BONDS"); (2) THE REDEMPTION OF THE BONDS PRIOR TO MATURITY UPON CERTAIN TERMS AND CONDITIONS; (3) THE EXECUTION AND DELIVERY OF SAID BONDS; (4) THE FORMS OF SAID BONDS; (5) THE LEVY OF A CONTINUING DIRECT ANNUAL AD VALOREM TAX WITHOUT LIMIT AS TO RATE OR AMOUNT TO PAY THE BONDS AND THE INTEREST THEREON WHEN DUE AND PAYABLE; (6) THE CREATION AND MAINTENANCE OF A PROJECT FUND AND A BOND FUND; (7) THE AUTHORIZATION OF THE EXECUTION AND DELIVERY OF A BOND PURCHASE AGREEMENT AMONG THE CITY OF ATLANTA AND THE PURCHASERS OF THE BONDS; (8) THE APPROVAL OF AN OFFICIAL STATEMENT WITH RESPECT TO SAID BONDS AND AUTHORIZING THE EXECUTION AND DELIVERY THEREOF; (9) THE EXECUTION OF A CERTIFICATE PERTAINING TO THE USE OF THE PROCEEDS DERIVED FROM THE SALE OF SAID BONDS; (10) THE UNDERTAKING OF A CONTINUING DISCLOSURE COMMITMENT IN COMPLIANCE WITH S.E.C. RULE 15C2-12(B)(5) AND (11) FOR OTHER PURPOSES:**

**WHEREAS**, at an election duly called and held in the City of Atlanta (the "City") on November 7, 2000 pursuant to an ordinance adopted by the Council of the City on July 5, 2000 and approved by the Mayor on July 13, 2000 (the "Referendum Ordinance"), after notice thereof had been given at the times and in the manner required by law, a majority of the qualified voters of the City voting in said election voted in favor of the issuance by the City of general obligation public improvement bonds of the City in the aggregate principal amount not to exceed One Hundred Fifty Million Dollars (\$150,000,000), designated as the City of Atlanta General Obligation Public Improvement Bonds, consisting of \$48,550,000 for the acquisition, construction, reconstruction, renovation, repair, improvement and equipping of public sidewalks and related public improvements, and costs incident thereto; \$26,950,000 for the acquisition, construction, reconstruction, renovation, repair, improvement and equipping of public plazas and greenspace and related public improvements and costs incident thereto; \$55,500,000 for the acquisition, construction, reconstruction, renovation, repair, improvement and equipping of public streets, bridges, viaducts and related public improvements including but not limited to sidewalks, bicycle lanes, and transit stops so as to improve the pedestrian and transit environment, and costs incident thereto; and \$19,000,000 for the acquisition, construction, reconstruction, renovation, repair,



improvement and equipping of public traffic control devices and related public improvements so as to improve pedestrian safety, and costs incident thereto (collectively, the "Referendum Bonds"), to be dated as of the first day of the month in which such Referendum Bonds are issued, to be in such denomination or denominations, to bear interest from such date at such rate or rates, but in no event exceeding the maximum rate of interest of eight and one half percent (8.50%) per annum, all interest payable commencing on such date as Council of the City shall determine in a supplemental ordinance, and semiannually thereafter on the first day of June and December in each year, and the principal of the Referendum Bonds to mature on the first day of December, in the years and amounts as follows:

General Obligation Bonds for  
Public Sidewalk Improvements

<u>Year</u>	<u>Amount</u>	<u>Year</u>	<u>Amount</u>
2002	\$1,950,000	2012	\$1,960,000
2003	2,020,000	2013	2,085,000
2007	2,095,000	2014	2,220,000
2005	2,170,000	2015	2,360,000
2006	2,155,000	2016	2,515,000
2007	2,340,000	2017	2,725,000
2008	2,430,000	2018	2,900,000
2009	2,530,000	2019	3,085,000
2010	2,535,000	2020	3,285,000
2011	1,845,000	2021	3,345,000

General Obligation Bonds for  
Public Plazas and Greenspace Improvements

<u>Year</u>	<u>Amount</u>	<u>Year</u>	<u>Amount</u>
2002	\$1,305,000	2012	\$910,000
2003	1,345,000	2013	980,000
2007	1,385,000	2014	1,055,000
2005	1,425,000	2015	1,135,000
2006	1,375,000	2016	1,215,000
2007	1,520,000	2017	1,360,000
2008	1,570,000	2018	1,455,000
2009	1,625,000	2019	1,560,000
2010	1,585,000	2020	1,665,000
2011	845,000	2021	1,635,000



General Obligation Bonds for  
Public Streets, Bridges and Viaduct Improvements

<u>Year</u>	<u>Amount</u>	<u>Year</u>	<u>Amount</u>
2002	\$2,160,000	2012	\$2,295,000
2003	2,240,000	2013	2,440,000
2007	2,320,000	2014	2,595,000
2005	2,410,000	2015	2,755,000
2006	2,405,000	2016	2,930,000
2007	2,605,000	2017	3,165,000
2008	2,710,000	2018	3,365,000
2009	2,820,000	2019	3,580,000
2010	2,840,000	2020	3,805,000
2011	2,165,000	2021	3,895,000

General Obligation Bonds for  
Public Traffic Control Device Improvements

<u>Year</u>	<u>Amount</u>	<u>Year</u>	<u>Amount</u>
2002	\$1,070,000	2012	\$525,000
2003	1,095,000	2013	570,000
2007	1,125,000	2014	625,000
2005	1,155,000	2015	680,000
2006	1,085,000	2016	740,000
2007	1,220,000	2017	855,000
2008	1,255,000	2018	920,000
2009	1,295,000	2019	995,000
2010	1,235,000	2020	1,070,000
2011	480,000	2021	1,005,000

**WHEREAS**, the aggregate \$150,000,000 in principal amount of the Referendum Bonds, which are to bear interest at an interest rate not to exceed seven and three quarters percent (7.75%) per annum, as described in the order of the Superior Court of Fulton County, Georgia (the “Court”), were duly validated by judgment of the Court on November 19, 2001; and

**WHEREAS**, the Referendum Ordinance provides that the Referendum Bonds may be issued, sold, and delivered at one time or in separate series from time to time;

**WHEREAS**, the City has heretofore issued Referendum Bonds designated “City of Atlanta General Obligation Public Improvement Bonds, Series 2001B” in the aggregate principal amount of \$61,220,000 (the “Series 2001B Bonds”) and “City of



Atlanta General Obligation Public Improvement Bonds, Series 2004B” in the aggregate principal amount of \$47,500,000 (the “Series 2004B Bonds”) for the purpose of providing funds for the acquisition, construction and improvement of public sidewalks and related public improvements in the City, the acquisition, construction and improvement of public plazas and greenspace and related public improvements in the City, the acquisition, construction and improvement of public streets, bridges and viaducts, and the acquisition, construction and improvement of public traffic control devices; and

**WHEREAS**, the Referendum Ordinance provides that the Chief Financial Officer of the City may approve, and the Chief Financial Officer of the City has recommended that the City should at this time issue \$ \_\_\_\_\_ in aggregate principal amount of the Referendum Bonds, to be designated “City of Atlanta General Obligation Public Improvement Bonds, Series 2008A” (the “Bonds”); and

**WHEREAS**, in order to facilitate the sale of the Bonds, the City should approve the use and distribution of a Preliminary Official Statement (the “Preliminary Official Statement”) and an Official Statement, with respect to the Bonds (the “Official Statement”); and

**WHEREAS**, the City proposes to approve the execution and delivery of a Bond Purchase Agreement (the “Bond Purchase Agreement”), dated as of the date hereof, relating to the Bonds between the City and Jackson Securities, LLC, on behalf of itself and the other underwriters (collectively, the “Underwriter”) for the Bonds; and

**WHEREAS**, the rates of interest on the Bonds do not exceed the maximum rate of interest for any year over the life of the Bonds as set forth in the notice of election; and

**WHEREAS**, as a result of sale of the Bonds to the Underwriter, the Bonds shall bear interest from \_\_\_\_\_ 1 at the rates per annum hereinafter set forth, all interest payable commencing \_\_\_\_\_, and semiannually thereafter on the first day of December and June in each year; and

**WHEREAS**, it was provided in the notice of election and the Referendum Ordinance that the Referendum Bonds may be made subject to redemption prior to maturity upon the terms and conditions to be determined by the Council of the City and provision should now be made for such redemption of the Bonds; and

**WHEREAS**, in order to issue and deliver the Bonds, it is necessary to adopt a form of bond for the Bonds, to provide for the execution of such Bonds, to name a paying agent and a bond registrar with respect to the Bonds, and to levy a continuing direct annual ad valorem tax without limit as to rate or amount on all taxable property within the corporate limits of the City, as the same now exist and may be hereafter changed, sufficient to pay the principal of redemption premium, if any, and interest on the Bonds as the same come due, to provide for continuing disclosure as required by Rule 15c2-12



promulgated by the Securities and Exchange Commission under the Securities Exchange Act of 1934, and to provide for other matters in connection with such Bonds; and

**WHEREAS,** \_\_\_\_\_, Atlanta, Georgia (the "Bank") will act as Paying Agent and as Bond Registrar for the Bonds and perform various functions with respect to the Bonds, including, but not limited to, the authentication of the Bonds by the manual signature of a duly authorized officer of the Bank, as Bond Registrar, the registration, transfer, exchange and related mechanical and clerical functions, as well as the preparation, signing and issuance of checks or drafts in payment of the principal of and interest on the Bonds when due and payable; and

**WHEREAS,** it is deemed both necessary and desirable that the Council of the City should at this time provide for the creation and maintenance of a Project Fund and a Bond Fund as hereinafter provided;

**NOW, THEREFORE,** in order to provide for the fixing of the rates of interest on and the sale of the Bonds, the execution and delivery thereof, the form of the Bonds, the execution and delivery of the Bond Purchase Agreement, the execution and delivery of a continuing disclosure undertaking, the levy of a continuing direct annual ad valorem tax for the payment thereof, the creation and maintenance of a Project Fund and a Bond Fund, the approval of an Official Statement with respect thereto, the determination of the terms on which the Bonds shall be subject to redemption prior to maturity, and for certain other matters with respect to the issuance, sale and delivery of the Bonds,

**THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA HEREBY ORDAINS** as follows:

**Section 1.     Certain Definitions**

"Beneficial Owner" shall mean the owner of the Bonds registered in book-entry form on the books of the DTC Participants, in accordance with DTC rules, regulations and procedure.

"DTC" means The Depository Trust Company of New York, New York, or any successor securities depository.

"DTC Participant" shall mean brokers and dealers, banks, trust companies, clearing corporations and certain other organizations on whose behalf DTC was created to hold securities to facilitate the clearance and settlement of securities transactions among DTC Participants.

**Section 2.     Terms of the Bonds**

The \$ \_\_\_\_\_ aggregate principal amount of City of Atlanta General Obligation Public Improvement Bonds, Series 2008A, shall be dated \_\_\_\_\_ 1, 2008, shall be numbered R-1 and upward or in some other convenient manner, shall



bear interest from such date at the annual rates, and the principal of the Bonds shall mature and be paid on December 1, in the years and amounts as follows (the actual form of Bond will combine each of the separate Bond issues of like principal maturity and interest rate into a single bond):



General Obligation Bonds for  
Public Sidewalk Improvements

<u>Year</u>	<u>Amount</u>	Annual Interest <u>Rate</u>	<u>Year</u>	<u>Amount</u>	Annual Interest <u>Rate</u>
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General Obligation Bonds for  
Public Plazas and Greenspace Improvements

<u>Year</u>	<u>Amount</u>	Annual Interest <u>Rate</u>	<u>Year</u>	<u>Amount</u>	Annual Interest <u>Rate</u>
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General Obligation Bonds for  
Public Streets Bridges and Viaduct Improvements

<u>Year</u>	<u>Amount</u>	Annual Interest <u>Rate</u>	<u>Year</u>	<u>Amount</u>	Annual Interest <u>Rate</u>
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General Obligation Bonds for  
Public Traffic Control Devices Improvements

<u>Year</u>	<u>Amount</u>	Annual Interest <u>Rate</u>	<u>Year</u>	<u>Amount</u>	Annual Interest <u>Rate</u>
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and all interest on the Bonds shall be payable commencing \_\_\_\_\_, and semiannually thereafter on the first day of December and June in each of the years set forth above. The principal amount of the Bonds shall be payable at maturity, unless redeemed prior thereto as hereinafter provided, upon presentation and surrender thereof at the principal corporate trust office of \_\_\_\_\_, Atlanta, Georgia, Paying Agent and Bond Registrar, and payments of interest on the Bonds shall be made by check or draft payable to the registered owner at the close of business on the fifteenth (15th) day of the calendar month next preceding each such December and June as shown on the bond register of the City kept by the Bond Registrar. Such payments of interest shall be mailed to the registered owner at the address shown on the bond registration book. Both the principal of and interest on the Bonds shall be payable in lawful money of the United States of America.



The Bonds maturing on December 1, \_\_\_\_\_, and thereafter shall be subject to redemption prior to maturity at the option of the City, on or after December 1, \_\_\_\_\_, in whole or in part on any time, from any monies available therefor, at par, plus accrued interest to the redemption date.

If the Bonds are redeemed in part, then any Bonds so called for redemption shall be called in such order of maturity as is selected and specified by the City and by lot within a maturity if less than all of the Bonds of a single maturity are to be redeemed.

The Paying Agent shall furnish the City on or before the forty-fifth (45th) day next preceding the redemption date, if such option is exercised, with its certificate setting forth the Bonds that have been selected for redemption either in whole or in part on such date.

Unless waived by any owner of Bonds to be redeemed, official notice of any such redemption shall be given by the Bond Registrar on behalf of the City by mailing a copy of an official redemption notice by first class mail at least thirty (30) days but not more than sixty (60) days prior to the date fixed for redemption to the registered owner of the Bond or Bonds to be redeemed at the address shown on the registration book maintained by the Bond Registrar or at such other address as is furnished in writing by such registered owner to the Bond Registrar.

Notice having been given in the manner and under the conditions hereinabove provided, the Bonds so designated for redemption or portion of the Bonds so designated for partial redemption shall, on the redemption date designated in such notice, become and be due and payable at the redemption price hereinabove specified and, unless a default shall have occurred in the payment of the Bonds so designated for redemption or the portion of the Bonds so designated for partial redemption, interest on the principal amount of the Bonds so designated for redemption shall cease to accrue after the redemption date.

All official notices of redemption shall be dated, shall contain the complete official name of the bond issue and the series designation, and shall state:

- (1) the redemption date;
- (2) the redemption price;
- (3) the interest rate and maturity date of the respective series of Bonds being redeemed;
- (4) the date on which notice of redemption will be published;



(5) if less than all the outstanding Bonds are to be redeemed, the Bond numbers and, where part of the Bonds evidenced by one Bond certificate are being redeemed, the respective principal amounts of such series of Bonds to be redeemed;

(6) that on the redemption date the redemption price will become due and payable upon each such Bond or portion thereof called for redemption, and that interest thereon shall cease to accrue from and after such date; and

(7) the place where such Bonds are to be surrendered for payment of the redemption price (which place of payment shall be the principal corporate trust office of the Paying Agent) and the name, address, and telephone number of a person or persons at the Paying Agent who may be contacted with respect to the redemption.

Prior to any redemption date, the City shall deposit with the Paying Agent an amount of money sufficient to pay the redemption price of all the Bonds or portions of Bonds which are to be redeemed on that date.

Official notice of redemption having been given as aforesaid, the respective series of Bonds or portions of Bonds so to be redeemed shall on the redemption date, become due and payable at the redemption price therein specified, and from and after such date (unless the City shall default in the payment of the redemption price) such respective series of Bonds or portions of Bonds shall cease to bear interest. Upon surrender of such respective series of Bonds for redemption in accordance with such notice, such Bonds shall be paid by the Paying Agent at the redemption price. Installments of interest due on or prior to the redemption date shall be payable as provided herein. Upon surrender for any partial redemption of any Bond, there shall be prepared for the registered owner a new Bond or Bonds of the same series and maturity in the amount of the unpaid principal. All Bonds which have been redeemed shall be cancelled and destroyed by the Bond Registrar and shall not be reissued.

In addition to the foregoing notice, further notice shall be given by the Bond Registrar as set out below:

(1) Each further notice of redemption shall be sent at least 35 days before the redemption date by legible facsimile transmission, registered or certified mail, or overnight delivery service to all registered securities depositories then in the business of holding substantial amounts of obligations of types comprising the Bonds (such depositories now being The Depository Trust Company of New York, New York) and to one or more national information services that disseminate notices of redemption of obligations such as the Bonds.

(2) Each such further notice shall be published one time in *The Bond Buyer* of New York, New York or, if *The Bond Buyer* ceases to be published or if such publication is impractical or unlikely to reach a substantial number of the owners of the Bonds, in some other financial newspaper or journal



which regularly carries notices of redemption of other obligations similar to the Bonds, such publication to be made at least 30 days prior to the date fixed for redemption.

Upon the payment of the redemption price of Bonds being redeemed, each check or other transfer of funds issued for such purpose shall bear the CUSIP number identifying, by issue, maturity and series, the Bonds being redeemed with the proceeds of such check or other transfer.

Not less than 60 days after the redemption date, the Bond Registrar shall send a second copy of the official notice of redemption to the registered owner of any Bond or Bonds to be redeemed if, by such date, such registered owner has not surrendered any such Bond for redemption. Such notice shall be sent in the same manner as the original official notice of redemption.

Any defect in any notice of redemption shall not affect the validity of proceedings for redemption of the Bonds.

The Bonds designated for redemption as described above shall be payable at the redemption prices specified above, and interest will cease to accrue on the principal amount of such Bonds so called for redemption from and after the date of redemption if moneys for payment of the redemption price are being held by the Paying Agent and are available therefor.

Bonds for the payment or redemption of which sufficient monies or sufficient qualified permitted investments shall have been deposited with the Paying Agent (whether upon or prior to the maturity or the redemption date of such Bonds) shall be deemed to be paid and no longer outstanding under this Ordinance; provided, however, that if such Bonds are to be redeemed prior to maturity thereof, notice of such redemption shall have been duly given or arrangements satisfactory to the Paying Agent shall have been made for the giving thereof. Qualified permitted investments consist only of direct obligations of the United States or obligations unconditionally guaranteed by the United States and shall be considered sufficient for purposes of this Section only if such investments are not redeemable prior to maturity at the option of the issuer thereof and mature and bear interest in such amounts and at such times as will assure sufficient cash to pay currently maturing interest and to pay principal and redemption premiums, if any, when due on the Bonds without adversely affecting the exclusion from gross income of the interest on any Bonds under the Internal Revenue Code of 1986, as amended.



**Section 3.     Execution of the Bonds.**

The Bonds shall be executed for and on behalf of the City by the manual or facsimile signature of the Mayor and attested by the manual or facsimile signature of the Municipal Clerk and the official seal of the City or a facsimile thereof shall be imprinted on each of the Bonds, and the Bonds shall be authenticated by the manual signature of a duly authorized officer of the Bond Registrar. The validation certificate to be printed on each Bond shall be executed by use of the manual or facsimile signature of the Clerk of the Superior Court of Fulton County and the official seal of said court or a facsimile thereof shall be imprinted thereon. In case any officer whose signature shall appear on any Bond shall cease to be such officer before delivery of such Bond, such signature shall nevertheless be valid and sufficient for all purposes as if such officer had remained in office until such delivery. Before any Bond is issued it shall be authenticated by the manual signature of the Bond Registrar (designated below). No Bond shall be valid or obligatory for any purpose unless and until it has been authenticated by the Bond Registrar. Such authentication by the Bond Registrar shall be conclusive evidence that the only evidence that the Bond so authenticated has been duly issued and that the registered owner thereof is entitled to the benefits thereof.

**Section 4.     Form of Bonds.**

The Bonds, the certificate of validation, the certificate of authentication and the form of assignment shall be in substantially the following forms, with such variations, omissions and insertions as are required to complete each Bond properly:

[BOND FORM BEGINS ON FOLLOWING PAGE]



(FORM OF BOND)

No. R-

\$

**UNITED STATES OF AMERICA  
STATE OF GEORGIA**

**CITY OF ATLANTA  
VARIOUS PURPOSE GENERAL OBLIGATION BOND  
SERIES 2008A**

BOND DATE:            MATURITY DATE:            INTEREST RATE:    CUSIP:

\_\_\_\_\_ 1, 2008

Registered Owner:    Cede & Co.

Principal Amount:    \_\_\_\_\_

**FOR VALUE RECEIVED**, the City of Atlanta (the "City"), a municipal corporation of the State of Georgia, hereby promises to pay to the Registered Owner above or registered assigns, on the maturity date specified above unless redeemed prior thereto as hereinafter provided, upon presentation and surrender hereof at the principal corporate trust office of \_\_\_\_\_, Atlanta, Georgia, Paying Agent and Bond Registrar, the principal amount identified above in any coin or currency of the United States of America which on the date of payment thereof is legal tender for the payment of public and private debts, and to pay interest on said principal sum at the rate per annum specified above on the Interest Payment Dates (as defined below) to the registered owner hereof on the Record Date (as defined below) immediately preceding each such Interest Payment Date by check mailed to the registered owner at the address of such registered owner as it appears on the bond register maintained by the Bond Registrar, until payment of said principal sum.

The first payment of interest hereon shall be due on the Interest Payment Date next succeeding the date of authentication hereof unless this bond is authenticated on an Interest Payment Date, in which case the first payment of interest hereon shall be due on the next succeeding Interest Payment Date, or unless this bond is authenticated after a Record Date but before the next succeeding Interest Payment Date, in which case the first payment of interest hereon shall be due on the second succeeding Interest Payment Date. The interest paid on an Interest Payment Date shall be computed from the date through which interest was last paid on this bond, or if interest has not previously been paid on this bond, from the dated date of this bond. As used herein, the term "Interest Payment Date" shall mean \_\_\_\_\_, and each December and June thereafter during the term hereof. The term "Record Date" shall mean the fifteenth (15th) day of the month next preceding each Interest Payment Date.



This Bond is one of a duly authorized series of bonds of like tenor, except as to numbers, interest rates, and dates of maturity, issued in the aggregate principal amount of \_\_\_\_\_ Dollars (\$\_\_\_\_\_) consisting of \$\_\_\_\_\_ for the acquisition, construction, reconstruction, renovation, repair, improvement and equipping of public sidewalks and related public improvements and costs incident thereto; \$\_\_\_\_\_ for the acquisition, construction, reconstruction, renovation, repair, improvement and equipping of public plazas and greenspace and related public improvements and costs incident thereto; \$\_\_\_\_\_ for the acquisition, construction, reconstruction, renovation, repair, improvement and equipping of public streets, bridges, viaducts and related public improvements including but not limited to sidewalks, bicycle lanes, and transit stops so as to improve the pedestrian and transit environment and costs incident thereto; \$\_\_\_\_\_ for the acquisition, construction, reconstruction, renovation, repair, improvement and equipping of public traffic control devices and related public improvements so as to improve pedestrian safety and costs incident thereto.

This Bond shall not be entitled to any security or benefit or be valid or become obligatory for any purpose until the Certificate of Authentication endorsed herein shall have been duly signed by the Bond Registrar.

The Bonds are issued as fully registered bonds in the denomination of \$5,000 each or integral multiples thereof. At the principal corporate trust office of the Bond Registrar, in the manner and subject to the limitations and conditions provided in the Ordinance adopted by the Council of the City on \_\_\_\_\_, 2008, pursuant to which the bonds were issued, and without cost to the bond holder, except for any tax or other governmental charge, bonds may be exchanged or transferred, and a new bond or bonds of the same aggregate principal amount, interest rate, and maturity and of any authorized denomination will be issued to the person or persons designated in the instructions for exchange or transfer.

This Bond is issued under and pursuant to authority of the constitution and laws of the State of Georgia, which issuance was duly authorized by the qualified voters of the City in an election held for that purpose on November 7, 2000. The indebtedness evidenced by this bond is a general obligation of the City for the payment of the principal of and interest as to which the full faith and credit of said City have been and hereby are irrevocably pledged. The principal of and interest on this bond shall be payable from a continuing direct annual ad valorem tax upon all property subject to taxation within the corporate limits of the City now existing and within any extension of said City limits.

The Bonds maturing on December 1, \_\_\_\_\_, and thereafter shall be subject to redemption prior to maturity, at the option of the City, on or after December 1, \_\_\_\_\_, in whole or in part on any date, from any monies available therefor, at par, plus accrued interest to the redemption date. If the Bonds are redeemed in part, then any bonds so called for redemption shall be called in such order of maturity as is selected and specified by the City and by lot within a maturity if less than all of the bonds of a single maturity are to be redeemed.



Notice of redemption of the Bonds, unless waived, is to be given by the Bond Registrar by mailing an official redemption notice by first class mail at least thirty (30) days but not more than sixty (60) days prior to the date fixed for redemption to the registered owner of the bond or bonds to be redeemed at the address shown on the registration book maintained by the Bond Registrar or at such other address as is furnished in writing by such registered owner to the Bond Registrar. Notice of redemption having been given as aforesaid, the bond or portions of bonds so to be redeemed shall, on the redemption date, become due and payable at the redemption price therein specified, and from and after such date (unless the City shall default in the payment of the redemption price) such bond or portions of bonds shall cease to bear interest. Any defect in any notice of redemption shall not affect the validity of proceedings for the redemption of the Bonds.

It is certified and recited that all acts, conditions, and things required by the Constitution or laws of the State of Georgia to exist, happen, or be performed precedent to and in the issuance of this Bond exist, have happened, and have been performed in due and legal time, form, and manner as required by law, that provision has been made for collection of the direct annual ad valorem tax sufficient to pay the principal of and interest on this Bond, in accordance with its terms, and that the total indebtedness of the City of Atlanta, including this Bond, does not exceed any limitation prescribed by the Constitution or laws of the State of Georgia.



**IN WITNESS WHEREOF**, the City of Atlanta has caused this Bond to be executed by the manual signature of its Mayor and its corporate seal to be impressed, imprinted or otherwise reproduced hereon and attested by the manual signature of its Municipal Clerk as of the date of this bond.

**CITY OF ATLANTA**

(SEAL)

By: \_\_\_\_\_  
Mayor

Attest:

\_\_\_\_\_  
Municipal Clerk



STATE OF GEORGIA )  
 )  
FULTON COUNTY )

WITNESS my manual signature and the seal of the Superior Court of Fulton County, Georgia.

[SEAL]



## CERTIFICATE OF AUTHENTICATION

This bond is one of the bonds of the series designated therein and issued under the provisions of the within mentioned Ordinance.

\_\_\_\_\_,  
Bond Registrar

By: \_\_\_\_\_  
Authorized Officer

Date of Authentication: \_\_\_\_\_



The following abbreviations, when used in the inscription on this Bond or in the assignment below, shall be construed as though they were written out in full according to applicable laws or regulations:

TEN COM - as tenants in common  
TEN ENT - as tenants by the entireties  
JT TEN - as joint tenants with right of survivorship and not as tenants  
in common and not as community property  
UNIF TRANS  
MIN ACT - \_\_\_\_\_ Custodian \_\_\_\_\_  
(Custodian) (Minor)  
under Uniform Transfers to Minors Act \_\_\_\_\_  
(State)

Additional abbreviations may be used although not in the above list.



## ASSIGNMENT

**FOR VALUE RECEIVED**, the undersigned, \_\_\_\_\_,  
hereby sells, assigns, and transfers unto \_\_\_\_\_ (Tax  
Identification or Social Security No. \_\_\_\_\_) the within Bond and all  
rights thereunder and hereby irrevocably constitutes and appoints \_\_\_\_\_  
attorney to transfer the within Bond on the books kept for registration  
thereof, with full power of substitution in the premises.

\_\_\_\_\_  
Signature

Dated: \_\_\_\_\_

\_\_\_\_\_  
Signature Guaranteed

NOTICE: Signature(s) must be guaranteed by an eligible guarantor institution (such as banks, stockbrokers, savings and loan associations, and credit unions) with membership in an approved Signature Guarantee Medallion Program pursuant to S.E.C. Rule 17Ad-15.

NOTICE: The signature(s) to this assignment must correspond with the name as it appears upon the face of the within Bond in every particular, without alteration or enlargement or any change whatsoever.

[END OF BOND FORM]



**Section 5.     Authentication of Bonds.**

Only those Bonds that shall have endorsed thereon a certificate of authentication substantially in the form hereinbefore set forth, duly executed by the manual signature of an authorized officer of the Bond Registrar shall be valid and entitled to any benefit or security and such certificate upon any of the Bonds when duly executed shall be conclusive evidence that such Bond has been duly authenticated, registered and delivered. It shall not be necessary that the same officer of the Bond Registrar sign the certificate of authentication on all of the Bonds that may be issued hereunder at any one time. The person in whose name any Bond shall be registered shall be deemed and regarded as the absolute owner thereof for all purposes and the payment of the principal amount, interest and premium, if any, shall be made only to or upon the order of the registered owner thereof. All such payments shall be valid and effectual to satisfy and discharge the liability upon such Bond, including redemption premium, if any, and the interest thereon to the extent of the sums so paid.

**Section 6.     Bond Registrar.**

The Bond Registrar shall keep the bond register of the City for the registration of the Bonds and for the registration of transfers of the Bonds as herein provided. The transfer of any Bond shall be registered upon the bond register upon the surrender and presentation of the Bond to the Bond Registrar duly endorsed for transfer or accompanied by an assignment duly executed by the registered owner or attorney duly authorized in writing in such form as shall be satisfactory to the Bond Registrar. Upon any such registration of transfer, the Bond Registrar shall authenticate and deliver in exchange for such Bond or Bonds so surrendered, a new Bond or Bonds registered in the name of the transferee, of any denomination or denominations authorized by this ordinance, and in an aggregate principal amount equal to the aggregate principal amount of the Bonds so surrendered and of the same maturity. Any Bond, upon presentation and surrender thereof to the Bond Registrar, together with an assignment duly executed by the registered owner or duly authorized attorney, in such form as may be satisfactory to the Bond Registrar, may be exchanged, at the option of the registered owner, for an aggregate principal amount of Bonds of the same maturity equal to the principal amount of the Bonds so surrendered and of any authorized denomination or denominations. The Bond Registrar may make a charge for every exchange or registration of transfer of the Bonds sufficient to reimburse it for any tax or other governmental charge required to be paid with respect to such exchange or registration of transfer, but no other charge shall be made to the owner for the privilege of exchanging or registering the transfer of Bonds under this ordinance. The City shall make all necessary and proper provisions for the transfer and exchange of the Bonds by the Bond Registrar and the City shall deliver or cause to be delivered to the Bond Registrar a sufficient quantity of blank Bonds duly executed on behalf of the City, together with the certificate of validation pertaining thereto duly executed by manual or facsimile signature of the Clerk of the Superior Court of Fulton County as herein provided in order that the Bond Registrar shall at all times be able to register and authenticate the Bonds at the earliest practicable time in accordance with the provisions of this ordinance. All Bonds surrendered in any such exchange or



registration of transfer shall be forthwith cancelled by the Bond Registrar and a record thereof duly entered in the permanent records pertaining to such series of Bonds maintained by the Bond Registrar.

**Section 7. Book-Entry Bonds.**

(a) The definitive Bonds shall be issued in the form of a separate single fully registered Bond for each of the maturities thereof (which form of bond registration is sometimes referred to as "book-entry form"). Upon initial issuance of the Bonds as authorized in this Section 7, the ownership of each such Bond shall be registered in the name of Cede & Co., as nominee of DTC, and except as otherwise provided in this Section 7, all of the outstanding Bonds shall be registered in the name of Cede & Co., as nominee of DTC. With respect to Bonds registered in the name of Cede & Co., as nominee of the DTC, the City and the Paying Agent shall have no responsibility or obligation to any DTC Participant or to any person on behalf of whom such a DTC Participant holds an interest in the Bonds. Without limiting the immediately preceding sentence, the City and the Paying Agent shall have no responsibility or obligation with respect to (i) the accuracy of the records of DTC, Cede & Co. or any DTC Participant with respect to any ownership interest in the Bonds, (ii) the delivery to any DTC Participant or any other person, other than a registered owner, as shown in the bond register of any notice with respect to the Bonds, including any notice of redemption, or (iii) the payment to any DTC Participant or any other person, other than an registered owner, as shown in the bond register of any amount with respect to principal of, premium, if any, or interest on the Bonds.

(b) Notwithstanding any other provision of this ordinance to the contrary, if Bonds are issued in book-entry form, the City and the Paying Agent shall be entitled to treat and consider the person in whose name each Bond is registered as the absolute owner of such Bond for the purpose of payment of principal of, premium, if any, and interest on any Bond, for the purpose of giving notices of redemption and other matters with respect to such Bond, for the purpose of registering any transfer with respect to such Bond, and for all other purposes whatsoever. The Paying Agent shall pay all principal of, premium, if any, and interest on the Bonds only to or upon the order of the respective registered owner, as shown in the bond register as provided in this ordinance, or their respective attorneys duly authorized in writing, and all such payments shall be valid and effective to fully satisfy and discharge the City's obligations with respect to payment of principal of, premium, if any, and interest on the Bonds to the extent of the sum or sums so paid. No person other than a registered owner, as shown in the bond register, shall receive a Bond certificate evidencing the obligation of the City to make payments of amounts due pursuant to this ordinance. Upon delivery by DTC to the Bond Registrar or written notice to the effect that DTC has determined to substitute a new nominee in place of Cede & Co. and subject to the provisions of this ordinance with respect to interest checks or drafts being mailed to the registered owner of Bonds, the word "Cede & Co." in this ordinance shall refer to such new nominee of DTC.



(c) In the event that the City determines that DTC is incapable of discharging its responsibilities described herein and in a representation letter of the City to DTC pursuant to applicable DTC rules and regulations, or that it is in the best interest of the Beneficial Owners of the Bonds that they are able to obtain certificated Bonds, the City shall (i) appoint a successor securities depository, qualified to act as such under Section 17 (a) of the Securities and Exchange Act of 1934, as amended, notify DTC and DTC Participants of the appointment of such successor securities depository, and transfer one or more Bonds to such successor securities depository or (ii) notify DTC and DTC Participants of the availability through DTC of Bonds and transfer one or more Bonds to DTC Participants having Bonds credited to their DTC accounts. In such event, the Bonds shall no longer be restricted to being registered in the bond register in the name of Cede & Co., as nominee of DTC, but may be registered in the name of the successor securities depository, or its nominee, or in whatever name or names registered owners transferring or exchanging Bonds shall designate, in accordance with the provisions of this ordinance.

(d) Notwithstanding any other provision of this ordinance to the contrary, so long as any Bonds are registered in the name of Cede & Co., as nominee of DTC, all payments with respect to principal of, premium, if any, and interest on such Bonds, and all notices with respect to such Bonds shall be made and given, respectively, in the manner provided in a representation letter of the City to DTC required pursuant to DTC rules and regulations.

#### **Section 8. Levy of Tax.**

In satisfaction of the requirement set forth in Article IX, Section V, Paragraph VI of the Constitution of the State of Georgia, for the purpose of providing funds for payment of the Bonds, there shall be and is hereby levied a continuing direct annual ad valorem tax upon all the property subject to taxation within the corporate limits of the City now existing and within any extension of said corporate limits, sufficient to provide funds required to pay the principal of and interest on the Bonds, as such principal and interest shall become due and payable, as provided in Exhibit "A" hereto, which said funds are hereby irrevocably pledged and appropriated to the payment of the principal of and interest on the Bonds as such Bonds, respectively, mature.

Provision to meet the requirements of this ordinance shall in due time and manner be annually provided for in the appropriations bill, so that the Bonds, including both principal and interest, shall be fully paid when and as due and payable.

#### **Section 9. Creation of Project Fund and Accounts Therein.**

A special fund is hereby created and designated "City of Atlanta 2008 Various Purpose and Public Improvement Project Fund" (hereinafter called the "Project Fund"), which shall include a

- (i) a Public Sidewalks Account;



- (ii) a Public Plazas and Greenspace Account;
- (iii) a Public Streets, Bridges and Viaducts Account; and
- (iv) a Public Traffic Control Devices Account.

There shall be deposited in the Project Fund with \_\_\_\_\_, which is hereby appointed the depository therefor, the proceeds from the sale of the Bonds (other than the accrued interest thereon). The net proceeds of sale of the \$\_\_\_\_\_ General Obligation Public Improvement Bonds for public sidewalks shall be credited to the Public Sidewalks Account. The net proceeds of sale of the \$\_\_\_\_\_ General Obligation Public Improvement Bonds for public plazas and greenspace shall be credited to the Public Plazas and Greenspace Account. The net proceeds of sale of the \$\_\_\_\_\_ General Obligation Public Improvement Bonds for public streets, bridges and viaducts shall be credited to the Public Streets Bridges and Viaducts Account. The net proceeds of sale of the \$\_\_\_\_\_ General Obligation Public Improvement Bonds for public traffic control devices shall be credited to the Public Traffic Control Devices Account.

All monies in the Project Fund shall be held by the depository, or any successor depository subsequently appointed by the City, as custodian. Moneys in each such account of the Project Fund shall be used solely for the purposes for which the related bonds were issued. The Chief Financial Officer or his designee is authorized to direct said custodian to maintain separate records with respect to receipts and disbursements of funds from the Project Fund and each account therein and investment of funds on deposit therein from time to time.

#### **Section 10. Creation of Bond Fund.**

In satisfaction of the requirement set forth in Article IX, Section V, Paragraph VI of the Constitution of the State of Georgia, a special fund is hereby created and designated "City of Atlanta Series 2008A Bond Fund" (hereinafter called the "Bond Fund") to the credit of which there shall be deposited with \_\_\_\_\_, which is hereby appointed the depository therefor, the following: (i) any accrued interest received in connection with the sale of the Bonds and (ii) receipts, if any, from the direct annual tax referred to in Section 8 above. All moneys in the Bond Fund shall be held by such depository, or any successor depository subsequently appointed by the City, as custodian. Moneys in the Bond Fund shall be used solely to pay the principal of and interest on the Bonds as the same become due.

#### **Section 11. Investment of Proceeds of Bonds.**

The City covenants that it will not, subsequent to the date of issuance and delivery of the Bonds, intentionally use any portion of the proceeds of the Bonds to acquire "higher yielding investments" as defined in Section 148 of the Internal Revenue Code of 1986, as amended (the "Code"), except as may be otherwise permitted by Section 148



thereof, and that it will comply with and take such actions, as may be required thereby, including making such payments as may be required by Section 148(f) of the Code, and that no investment or use will be made of the proceeds of the Bonds herein authorized which will cause the Bonds to be "arbitrage bonds" within the meaning of Section 148(a) of the Code, as such provisions may be applicable to the Bonds at the time of such investment or use. The City further covenants that it will invest moneys in the Project Fund only in such investments as are authorized by the laws of the State of Georgia.

**Section 12. Authorization of Rebate Calculation and Accounts.**

The Chief Financial Officer, or any official authorized thereby for such purpose, is hereby authorized (a) to retain a certified public accountant or financial analyst, or any firm thereof or any financial institution experienced in making the arbitrage rebate calculations required pursuant to Section 148 of the Code, to make such calculations, (b) to establish such funds or accounts, and (c) to make or direct such investment as may be desired to assist in or facilitate compliance with Section 148 of the Code.

The City may, without the consent of the owners of the Bonds, make such additions, deletions or modifications to this ordinance as may be required or permitted so as to ensure compliance with Section 148 of the Code or otherwise as may be required to ensure that interest on the Bonds is not includable within the gross income of the holders thereof for federal income tax purposes.

**Section 13. Official Statement.**

The Preliminary Official Statement relating to the Bonds, dated \_\_\_\_\_, 2008, a copy of which shall be included with this ordinance in the minutes of proceedings of the City, is hereby approved and adopted in the form presented to the Council. Such Preliminary Official Statement is hereby deemed to be final within the meaning of Rule 15c2-12 promulgated under the Securities Exchange Act of 1934, as amended. The actions of the financial advisors to the City and the actions of the officers of the City, in circulating the Preliminary Official Statement, are hereby ratified and approved. The Mayor is hereby authorized, empowered and directed to prepare a final Official Statement by making such insertions, completions or alterations to the Preliminary Official as may be necessary or desirable to conform to the terms of the Bonds as set forth in the Bond Purchase Agreement or as may otherwise be necessary or desirable and to execute and deliver such Official Statement to the Underwriter. The Underwriter is hereby authorized to circulate and use said Official Statement in making a public offering of the Bonds.

**Section 14. Sale of the Bonds.**

The City is hereby authorized to sell the Bonds to Jackson Securities, LLC, JP Morgan Chase & Co., and Raymond James & Associates, Inc., at a purchase price of \$\_\_\_\_\_ (representing \$\_\_\_\_\_ in principal amount of Bonds, [plus/minus] a [premium/discount] of \$\_\_\_\_\_, minus an underwriter's



discount of \$\_\_\_\_\_). The City is hereby authorized and directed to enter into the Bond Purchase Agreement, which shall be substantially in the form presented at the meeting of the Council at which this Ordinance was adopted, a copy of which is attached hereto as Exhibit "B" and by this reference made a part hereof subject to such charges, insertions or omissions as may be approved by the Mayor and the execution of the Bond Purchase Agreement by the Mayor as herein authorized shall be conclusive evidence of such approval.

There is hereby authorized to be executed, authenticated and delivered to the Underwriter in the City of Atlanta, Georgia, or such other place as may be agreed upon by the Underwriter and the City, upon receipt of the purchase price, plus accrued interest to the date of delivery, \$\_\_\_\_\_ principal amount of City of Atlanta General Obligation Public Improvement Bonds, Series 2008A, for the purposes, in the amounts and denominations, numbered, maturing and bearing interest at the rates, as set forth above.

**Section 16. Certificate as to Use of Proceeds, Continuing Disclosure and Other Documents.**

The Mayor or the Chief Financial Officer of the City of Atlanta, or both of them, are hereby authorized and directed to execute an Arbitrage Certificate and Agreement, based upon facts, estimates and circumstances, as to the reasonable expectations regarding the amount, expenditure and use of the proceeds of the Bonds, as well as such other certifications, reports and documents as may be necessary or desirable in connection with the issuance and delivery of the Bonds.

The City hereby covenants, for the benefit of the holders and beneficial owners of the Bonds, to provide certain financial information and operating data relating to the City within one hundred eighty days following the end of the City's fiscal year (currently June 30), commencing with the fiscal year ending June 30, 2008, all in compliance with Rule 15c2-12(b)(5) (the "Rule") promulgated by the Securities and Exchange Commission under the Securities Exchange Act of 1934. The City has undertaken to comply with the Rule pursuant to its Continuing Disclosure Undertaking, a form of which is attached hereto as Exhibit "C" and made a part hereof and by this Ordinance is hereby authorized and approved.

**Section 17. Validation.**

The Clerk of the Superior Court of Fulton County, Georgia is hereby authorized and requested to execute the Validation Certificate on each of the Bonds as provided by this Ordinance and by law.



**Section 18. Information Reporting Pursuant to Section 149(e) of the Code.**

Any officer of the City is hereby authorized to sign and file or cause to be filed I.R.S. 8038-G, "Information Return for Governmental Bond Issues," as required by Section 149(e) of the Internal Revenue Code of 1986, as amended (the "Code") for the Bonds.

**Section 19. No Personal Liability.**

No stipulation, obligation or agreement herein contained or contained in this Ordinance shall be deemed to be a stipulation, obligation or agreement of any official, officer, director, agent or employee of the City in his individual capacity, and no such official, officer, director, agent or employee shall be personally liable on the Bonds or be subject to personal liability or accountability by reason of the issuance thereof.

**Section 20. General Authority.**

From and after the execution and delivery of the documents hereinabove authorized, the proper officials, officers, directors, agents and employees of the City are hereby authorized, empowered and directed to do all such acts and things and to execute all such documents as may be necessary to carry out and comply with the provisions of this Ordinance and the documents as authorized herein and are further authorized to take any and all further actions and execute and deliver any and all other documents and certificates as may be necessary or desirable in connection with the issuance of the Bonds and in conformity with the purposes and intents of this Ordinance.

The Mayor and the Municipal Clerk are hereby authorized and directed to prepare and furnish to the purchasers of the Bonds, when the Bonds are issued, certified copies of all the proceedings and records of the City relating to the Bonds, and such other affidavits and certificates as may be required to show the facts relating to the legality and marketability of the Bonds as such facts appear from the books and records in the officers' custody and control or as otherwise known to them; and all such certified copies, certificates and affidavits, including any heretofore furnished, shall constitute representations of the City as to the truth of all statements contained therein.

**Section 21. Severability of Invalid Provision.**

If any one or more of the agreements or provisions herein contained shall for any reason whatsoever be held invalid, then such covenants, agreements or provisions shall be null and void and shall be deemed separable from the remaining agreements and provisions and shall in no way affect the validity of any of the other agreements and provisions hereof or of the Bonds authorized hereunder.



**Section 22. Conflicting Ordinances or Resolutions.**

Any and all ordinances and resolutions, or parts of ordinances and resolutions, in conflict with this Ordinance are hereby repealed.

**Section 23. Execution of Signature by Others.**

If at the time of issuance and delivery of the Bonds, the Mayor is absent from the City or is otherwise unavailable for execution of certificates necessary in connection with the issuance and delivery of the Bonds, the Mayor may authorize the president of the Council or in the president's absence, the president pro tempore of the Council, to execute such certificates in connection with the issuance and delivery of the Bonds.

**Section 24. Repealing Clause.**

All ordinances or parts thereof of the City in conflict with the provisions herein contained are, to the extent of such conflict, hereby superseded and repealed.

**Section 25. Ordinance Constitutes a Contract.**

The provisions, terms, and conditions of this Ordinance, including the covenants set forth in this Section, constitute a contract by and between the City and the owners of the Bonds, and such contract is a legal and validly binding obligation of the City and is made in part for inducing investors to buy the Bonds. The provisions of the United States and Georgia Constitutions prohibiting the passage of laws impairing the obligations of contracts protect the rights and security of the owners of the Bonds. After the issuance of the Bonds, this Ordinance may not be repealed, amended, or modified in any respect which would adversely affect the rights and interests of the owners of the Bonds, nor shall the City pass any ordinance or resolution in any way adversely affecting the rights of such owners, except as specifically provided for herein, so long as any of the Bonds, or the interest thereon, shall remain outstanding.

Because this Ordinance constitutes a contract binding the City, it is proper and appropriate for the Mayor of the City to execute the same on behalf of the City and for the Municipal Clerk or a Deputy Municipal Clerk to authenticate the same.

**Section 26. Effective Date.**

This Ordinance shall take effect immediately upon its adoption and approval by the Mayor.



**CITY OF ATLANTA**

(CITY SEAL)

By: \_\_\_\_\_  
Mayor

Attest:

\_\_\_\_\_  
Municipal Clerk

Approved as to form:

\_\_\_\_\_  
City Attorney



**Exhibit “A”**

**Debt Service Schedule for Bonds**

<b>Period Ending <u>June 30</u></b>	<b><u>Principal</u></b>	<b><u>Interest</u></b>	<b><u>Total</u></b>
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**Exhibit “B”**

**Bond Purchase Agreement**



## **Exhibit "C"**

### **Form of Continuing Disclosure Undertaking**



**AN ORDINANCE  
BY: FINANCE-EXECUTIVE COMMITTEE**

**AN ORDINANCE AMENDING THE CITY OF ATLANTA  
OCCUPATION TAX ORDINANCE BY THE ADDITION AND  
DELETION OF CERTAIN LANGUAGE FOR THE PURPOSE  
OF CLARIFYING THE OPERATION OF SEC. 30-63;  
CONFIRMING THE EFFECT OF CITY CODE SEC. 2-105 ON  
THIS ORDINANCE; AND FOR OTHER PURPOSES.**

**WHEREAS**, pursuant to O.C.G.A. § 48-13-2 *et seq*, the City of Atlanta levies and assesses an occupation tax on each person engaged in any business, trade, profession or occupation located within the jurisdiction of the city and on each person whose business, trade, profession or occupation, is carried on, operated or performed within the jurisdiction of city; and

**WHEREAS**, this tax is a significant source of revenue for the City which can only be collected in compliance with the provisions of state law; and

**WHEREAS** the City desires to amend certain sections of the Occupation Tax Ordinance to clarify the operation of Section 30-63; and

**WHEREAS** in order to remove any question as to whether Sec. 2-105 of the City Code applies to this ordinance, certain language is incorporated in this ordinance to clarify the Council's position.

**THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA HEREBY  
ORDAINS AS FOLLOWS:**

**SECTION 1:** That Sec. 63 of Chapter 30, Article III, of the Code of Ordinances of the City of Atlanta, Georgia, as amended (the "Atlanta City Code") be and is hereby amended in the manner set forth in Exhibit "A," such that the language marked as stricken by the method herein indicated (~~stricken language~~) is deleted and the language underlined is added, such that Sec. 30-63 shall read as set forth in Exhibit "B".

**SECTION 2:** This change to the text of the City Code does not impose a new fee or charge, such that Section 2-105 of the City Code does not apply.

**SECTION 3:** That this ordinance shall become effective after it is signed by the Mayor or as otherwise provided in the City Charter and shall repeal and replace conflicting ordinances.



## EXHIBIT "A" – CHANGES NOTED

Sec. 30-63. Professional occupation tax.

(a) Classification. Practitioners of professions as described in O.C.G.A. § 48-13-9(c)(1)-~~(18)~~ are as follows:

- (1) Lawyers;
- (2) Physicians;
- (3) Osteopaths;
- (4) Chiropractors;
- (5) Podiatrists;
- (6) Dentists;
- (7) Optometrists;
- (8) Psychologists;
- (9) Veterinarians;
- (10) Landscape architects;
- (11) Land surveyors;
- (12) Practitioners of physiotherapy;
- (13) Public accountants;
- (14) Embalmers;
- (15) Funeral directors;
- (16) Civil, mechanical, hydraulic or electrical engineers;
- (17) Architects;
- (18) Marriage and family therapists, social workers and professional counselors;
- (19) Dealers of motor vehicles, as defined in paragraph (1) of O.C.G.A. 10-1-622;
- (20) Owners or operators of bona fide coin operated amusement machines, as defined in O.C.G.A. 48-17-1 and owners or operators of businesses where bona fide coin operated amusement machines are available for commercial use and play by the public, provided that such amusement machines have affixed current stickers showing payment of annual permit fees, in accordance with O.C.G.A. 48-17-9;
- (21) Merchants or dealers as defined in O.C.G.A. 48-5-354 as to their deliveries to businesses and practitioners of professions and occupations in areas zoned for commercial use; and
- (22) Any other business, profession, or occupation, not specifically listed herein, for which state licensure or registration is required by state law shall not be charged a regulatory fee, unless the state law regulating such business, profession, or occupation specifically allows for regulation by local governments but such businesses shall be required to pay the occupation tax based on gross receipts combined with profitability ratios and classes as set forth in section 30-62.

(b) Determination of rate or amount of payment: At the time of the payment of the tax, the professional practitioners listed in subsection (a) subpart (1) through (21) of this section shall elect as their entire occupation tax one (1) of the following:

- (1) The occupation tax based on gross receipts combined with profitability ratios and classes as set forth in section 30-62. ~~In~~ If the practitioner of the profession elects to calculate the occupation tax due based on gross receipts combined with profitability ratios and classes as set forth in section 30-62, a fee of \$75.00 is imposed to pay the cost to process the payment.



(2) A fee of \$400.00 per practitioner. Practitioners paying according to this subsection shall not be required to provide information to the local government relating to the gross receipts of the business or practitioner. The per-practitioner fee applies to each person in the business who qualifies as a practitioner under the state's regulatory guidelines and framework.

(c) Compliance with this article shall not be a precondition to the practice of any profession, listed herein, or licensed by the state. The sole purpose for the imposition of all fines, penalties and interest provided in this article is to support and enhance the collection of the taxes levied by this article. No administrative fee shall be charged to the practitioner of any profession listed in this section in the event that the practitioner requests to file any documents with the city prior to the time of payment of the tax. It shall be the responsibility of the taxpayer to inform the business tax division of their claim of entitlement to be treated as a practitioner of a profession under state law where the interpretation of this article in such a manner would entitle such taxpayer to a different application of the business tax ordinance or any rules and regulations promulgated by the chief financial officer.

(d) Practitioners of professions may be asked to provide information as to the location where they may be served with notices or citations issued in support of the enforcement of this article and upon the failure or refusal to do so, the city shall direct the notices or citations to the address listed with the appropriate state licensing agency.



## EXHIBIT "B" – NEW TEXT AS AMENDED

Sec. 30-63. Professional occupation tax.

(a) Classification. Practitioners of professions as described in O.C.G.A. § 48-13-9(c) are as follows:

- (1) Lawyers;
- (2) Physicians;
- (3) Osteopaths;
- (4) Chiropractors;
- (5) Podiatrists;
- (6) Dentists;
- (7) Optometrists;
- (8) Psychologists;
- (9) Veterinarians;
- (10) Landscape architects;
- (11) Land surveyors;
- (12) Practitioners of physiotherapy;
- (13) Public accountants;
- (14) Embalmers;
- (15) Funeral directors;
- (16) Civil, mechanical, hydraulic or electrical engineers;
- (17) Architects;
- (18) Marriage and family therapists, social workers and professional counselors;
- (19) Dealers of motor vehicles, as defined in paragraph (1) of O.C.G.A. 10-1-622;
- (20) Owners or operators of bona fide coin operated amusement machines, as defined in O.C.G.A. 48-17-1 and owners or operators of businesses where bona fide coin operated amusement machines are available for commercial use and play by the public, provided that such amusement machines have affixed current stickers showing payment of annual permit fees, in accordance with O.C.G.A. 48-17-9;
- (21) Merchants or dealers as defined in O.C.G.A. 48-5-354 as to their deliveries to businesses and practitioners of professions and occupations in areas zoned for commercial use; and
- (22) Any business, profession, or occupation, not specifically listed herein, for which state licensure or registration is required by state law shall not be charged a regulatory fee, unless the state law regulating such business, profession, or occupation specifically allows for regulation by local governments but such businesses shall be required to pay the occupation tax based on gross receipts combined with profitability ratios and classes as set forth in section 30-62.

(b) Determination of rate or amount of payment: At the time of the payment of the tax, the professional practitioners listed in subsection (a) subpart (1) through (21) of this section shall elect as their entire occupation tax one (1) of the following:

- (1) The occupation tax based on gross receipts combined with profitability ratios and classes as set forth in section 30-62. If the practitioner of the profession elects to calculate the occupation tax due based on gross receipts combined with profitability ratios and classes as set forth in section 30-62, a fee of \$75.00 is imposed to pay the cost to process the payment.



(2) A fee of \$400.00 per practitioner. Practitioners paying according to this subsection shall not be required to provide information to the local government relating to the gross receipts of the business or practitioner. The per-practitioner fee applies to each person in the business who qualifies as a practitioner under the state's regulatory guidelines and framework.

(c) Compliance with this article shall not be a precondition to the practice of any profession, listed herein, or licensed by the state. The sole purpose for the imposition of all fines, penalties and interest provided in this article is to support and enhance the collection of the taxes levied by this article. No administrative fee shall be charged to the practitioner of any profession listed in this section in the event that the practitioner requests to file any documents with the city prior to the time of payment of the tax. It shall be the responsibility of the taxpayer to inform the business tax division of their claim of entitlement to be treated as a practitioner of a profession under state law where the interpretation of this article in such a manner would entitle such taxpayer to a different application of the business tax ordinance or any rules and regulations promulgated by the chief financial officer.

(d) Practitioners of professions may be asked to provide information as to the location where they may be served with notices or citations issued in support of the enforcement of this article and upon the failure or refusal to do so, the city shall direct the notices or citations to the address listed with the appropriate state licensing agency.



RCS# 1605  
12/03/07  
2:38 PM

Atlanta City Council

REGULAR SESSION

CONSENT II

REFER

YEAS: 13  
NAYS: 0  
ABSTENTIONS: 0  
NOT VOTING: 2  
EXCUSED: 1  
ABSENT 0

Y Smith	Y Archibong	Y Moore	Y Mitchell
Y Hall	E Fauver	Y Martin	Y Norwood
Y Young	Y Shook	Y Maddox	NV Willis
Y Winslow	Y Muller	Y Sheperd	NV Borders

CONSENT II



**CITY COUNCIL  
ATLANTA, GEORGIA**

**AN ORDINANCE BY COUNCILMEMBER FELICIA A. MOORE**

**AN ORDINANCE TO AUTHORIZE THE MAYOR TO ENTER INTO A CONTRACT WITH FULTON COUNTY TO CONDUCT A CITY OF ATLANTA SPECIAL ELECTION TO BE HELD ON FEBRUARY 5, 2008 TO PRESENT A REFERENDUM REIMPOSING A ONE PER CENT SALES AND USE TAX FOR THE PURPOSE OF FUNDING WATER AND SEWER PROJECTS PURSUANT TO ARTICLE 4 OF CHAPTER 8 OF THE OFFICIAL CODE OF GEORGIA ANNOTATED AND CITY OF ATLANTA RESOLUTION 07-R-1114; TO APPOINT THE FULTON COUNTY BOARD OF REGISTRATION AND ELECTIONS, WITH THE DIRECTOR OR INTERIM DIRECTOR OF THE FULTON COUNTY DEPARTMENT OF REGISTRATION AND ELECTIONS ACTING AS ITS AGENT, AS MUNICIPAL ELECTION SUPERINTENDENT FOR THE PURPOSE OF CONDUCTING SAID ELECTION, AS ABSENTEE BALLOT CLERK AND AS MUNICIPAL REGISTRAR; AND FOR OTHER PURPOSES.**

**WHEREAS**, in accordance with O.C.G.A. Section 21-2-45 (c) (1) the City of Atlanta may authorize Fulton County, by ordinance, to conduct elections; and

**WHEREAS**, the City of Atlanta must take certain action to authorize a referendum on the special sales and use tax to be levied within the City of Atlanta ("*MOST*") pursuant to Article 4 of Chapter 8 of the Official Code of Georgia Annotated and City of Atlanta Resolution 07-R-1114; and

**WHEREAS**, the City of Atlanta wishes to enter into a contract with Fulton County to conduct a Special Election for the above stated purpose on the statutorily authorized date of February 5, 2008 in conjunction with the Presidential Preference Primary Election; and

**WHEREAS**, in accordance with O.C.G.A. Sections 21-2-70.1(b), 21-2-380.1 and 21-2-212(c) the governing authority of the City of Atlanta is to appoint a municipal election superintendent, an absentee ballot clerk and a municipal registrar in a public meeting and the appointments shall be recorded in the minutes of said meeting.

**THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA hereby ordains as follows:**



**SECTION 1:** That, by authority of Resolution 07-R-1114 a City of Atlanta Special Election to hold a referendum reimposing a one per cent sales and use tax upon the termination of the special one percent sales and use tax presently in effect for the purpose of funding water and sewer projects in the City of Atlanta, pursuant to Article 4 of Chapter 8 of the Official Code of Georgia Annotated, has been called on Tuesday, February 5, 2008.

**SECTION 2:** That the Mayor be and is hereby authorized to execute an appropriate contractual agreement with Fulton County to conduct said City of Atlanta Special Election to be held in conjunction with the Presidential Preference Primary Election on Tuesday, February 5, 2008.

**SECTION 3:** That the governing authority of the City, the Atlanta City Council, in accordance with O.C.G.A. Section 21-2-70.1 (b) does hereby appoint as Municipal Election Superintendent the Fulton County Board of Registration and Elections, with the Director or Interim Director of the Fulton County Department of Registration and Elections acting as its agent, for the purpose of conducting said City of Atlanta Special Election.

**SECTION 4:** That the Atlanta City Council, in accordance with O.C.G.A. Section 21-2-380.1 does hereby appoint the Fulton County Board of Registration and Elections, with the Director or Interim Director of the Fulton County Department of Registration and Elections acting as its agent, as Absentee Ballot Clerk for said City of Atlanta Special Election.

**SECTION 5:** That the Atlanta City Council, in accordance with O.C.G.A. Section 21-2-212 (c) does hereby appoint the Fulton County Board of Registration and Elections, with the Director or Interim Director of the Fulton County Department of Registration and Elections acting as its agent, as Municipal (Chief) Registrar for said City of Atlanta Special Election.

**SECTION 6:** That Fulton County has submitted a Projected Cost to conduct said City of Atlanta Special Election as shown in the form attached hereto and identified as Exhibit A.

**SECTION 7:** That based on the projected cost supplied by Fulton County the City shall pay to Fulton County \$ 56,210.00 for said City of Atlanta Special Election to be paid and charged from Account Center Number \_\_\_\_\_.

**SECTION 8:** That the City Attorney be and is hereby directed to prepare an appropriate contract with Fulton County for execution by the Mayor, in substantially the form attached hereto and identified as Exhibit B, to be approved by the City Attorney as to final form.

**SECTION 9:** That the contract with Fulton County shall not become binding on the City and the City shall incur no liability upon same until such contract has been signed by the Mayor, signed and sealed by the Municipal Clerk, and delivered to the contracting party.

**SECTION 10:** Should any part of this ordinance be declared unconstitutional or unenforceable in a court of law, it shall be severed from this ordinance and all such parts not declared unconstitutional or unenforceable shall remain in full force and effect.

**SECTION 11:** That all ordinances and parts of ordinances in conflict herewith be and are hereby repealed.



**GEORGIA****FULTON COUNTY:**

**THIS AGREEMENT** entered into between the **City of Atlanta**, a municipal corporation lying wholly or partially within the County of Fulton, Georgia, hereinafter referred to as "**City**", and **Fulton County**, a political subdivision of the State of Georgia hereinafter referred to as "**County**".

**WITNESSETH:**

**WHEREAS**, the City in the performance of its governmental functions will hold the **City of Atlanta Special Election (the "Election")**, in conjunction with the Presidential Preference Primary Election to be held on Tuesday, **February 5, 2008**; and,

**WHEREAS**, under the provisions of the Georgia Election Code, particularly Section 21-2-45(c) of the Official Code of Georgia, Annotated, the City may by ordinance authorize the County to conduct such an election and the City has heretofore adopted such an ordinance (#07-O-2592); and

**NOW, THEREFORE**, in consideration of the premises it is hereby agreed as follows:

## 1.

This Agreement shall govern the obligations of the parties in the conduct of the Election.

## 2.

The Fulton County Board of Registration and Elections shall operate as the **Municipal Election Superintendent** (the "**Superintendent**") of the aforementioned election and shall perform any and all functions of the City or any of its officials in connection with the conduct of such election.



## 3.

The cost of such election shall be in accordance with the projected cost therefore attached hereto as Exhibit "A" and made a part of hereof by reference. City agrees to pay County the original sum of **\$56,210.00** for the **City of Atlanta Special Election for the Sales and Use Tax Referendum Election**, to be maintained in a separate election account with all expenses and charges in connection with the Election to be recorded and paid from said account. City shall remit said funds to County within 30 days of execution of this contract. Within ninety (90) days after the date of the Election, County shall furnish to City a complete statement showing all costs and expenses incurred in the Election and refund any excess in the elections account or collect any deficits which may be in said account. After this time, all other invoices received will be forwarded to the City for payment.

## 4.

The City Attorney shall furnish all legal services and defenses of litigation required by the Fulton County Board of Registration and Elections or Fulton County personnel arising from the Election under this Agreement. Should the City Attorney for any reason fail to provide the legal services referred to in this paragraph, the Superintendent shall have authority to engage the Fulton County Legal Department at the reasonable expense of the City; which shall not exceed the costs to the County; provided, however, that all requests for legal assistance by the County from the City Attorney to provide such service shall be communicated in writing before the City will be obligated to pay for legal services under this paragraph; provided, further, that the failure of the City Attorney's office to respond to a request made hereunder, within a reasonable time, shall be deemed to be a refusal to furnish such services.

County shall notify City in writing of its determination that the City has failed to respond as contemplated herein above before incurring legal fees on its own behalf for which the City shall be responsible.



5.

No term of this contract shall limit the obligations of the Superintendent to take any steps required by the Georgia Election Code and the Rules of the State Election Board and the Charter and Code of Ordinances of the City of Atlanta.

6.

Should it be necessary to comply with legal requirements that any of the County's personnel shall be sworn in as a temporary officer or employee of the City, such formality shall be observed without limitations.

7.

To the extent allowed by law, the City agrees to indemnify, defend and hold harmless the County with respect to any claim, demand, action, damages, judgment, cost and/or expenses (including, without limitation, reasonable attorney's fees and legal expenses) to which the County may be subjected as a consequence of or as a result of any error, omission, tort, intentional tort, willful misconduct, or any other negligence on the part of the City and/or its employees.

8.

To the extent allowed by law, the County agrees to indemnify, defend and hold harmless the City with respect to any claim, demand, action, damages, judgment, cost and/or expenses (including, without limitation, reasonable attorney's fees and legal expenses) to which the City may be subjected as a consequence of as a result of any error, omission, tort, intentional tort, willful misconduct, or any other negligence on the part of the County and/or its employees.

**IN WITNESS WHEREOF**, the parties have hereunto set their hands and affixed their seals pursuant to resolutions of their governing bodies duly adopted and entered on the Minutes thereof.



**CITY OF ATLANTA**

\_\_\_\_\_  
Mayor  
(Seal)

Attest: \_\_\_\_\_  
Municipal Clerk

**APPROVED AS TO FORM:**

\_\_\_\_\_  
City Attorney

**APPROVED:**

\_\_\_\_\_  
Chief Financial Officer



**FULTON COUNTY**

\_\_\_\_\_  
Chair, Board of Commissioners  
(Seal)

Attest: \_\_\_\_\_  
Clerk to Commission

**APPROVED AS TO FORM:**

\_\_\_\_\_  
County Attorney

**APPROVED:**

\_\_\_\_\_  
Chair, Board of Registration & Elections



## PROJECTED COST

CITY OF ATLANTA SPECIAL ELECTION - FEBRUARY 5, 2008

## 350-265-2673-1462 OFFICE SUPPLIES

Absentee/Prov/Challenged Ballots @ \$400/M (125.8M)..... \$ 50,850      Atlanta/Fulton

Ballot Card Setup Fee .....\$    250

Projected Ballot Printing Cost .....\$ 51,100

10% Administrative Fee .....\$    5,110

TOTAL PROJECTED BALLOT PRINTING COST - CITY OF ATLANTA SPECIAL ELECTION \$56,210



**A RESOLUTION  
BY FINANCE/ EXECUTIVE COMMITTEE**

**A RESOLUTION AUTHORIZING THE MAYOR OR HER DESIGNEE TO ENTER INTO A COOPERATIVE PURCHASING AGREEMENT PURSUANT TO SECTION 2-1601 ET. SEQ. OF THE CITY OF ATLANTA CODE OF ORDINANCES, UTILIZING THE STATE OF GEORGIA CONTRACT #NASPO/WSCA A63307 WITH DELL MARKETING, LP, FOR THE LEASE OF COMPUTER EQUIPMENT AND MAINTENANCE FOR A PERIOD OF FIVE (5) YEARS, ON BEHALF OF THE DEPARTMENT OF INFORMATION TECHNOLOGY, IN AN AMOUNT NOT TO EXCEED SEVEN HUNDRED SEVENTY SIX THOUSAND SIX HUNDRED FIFTY FOUR DOLLARS AND FOUR CENTS (\$776,654.04) PER YEAR; ALL CONTRACTED WORK SHALL BE CHARGED TO AND PAID FROM FUND ACCOUNT AND CENTER NUMBER 1A01 (GENERAL FUND) 575001 (EQUIPMENT) E25004 (IT SERVER MANAGEMENT); AND FOR OTHER PURPOSES.**

**WHEREAS**, the City of Atlanta ("City") Department of Information Technology ("Department") desires to consolidate servers to realize a reduction of capital expenditures while providing increased capacity for growth; and

**WHEREAS**, the Department desires to lease computer equipment and maintenance from Dell Marketing, LP, to accomplish the server consolidation; and

**WHEREAS**, pursuant to Section 2-1606 of the City of Atlanta Code of Ordinances, the Chief Procurement Officer may procure supplies, services or construction items through contracts established by the purchasing division of the State where such contracts and contractors substantially meet the requirements of this Article; and

**WHEREAS**, the Chief Information Officer of the Department of Information Technology and the Chief Procurement Officer of the Department of Procurement recommend utilizing the State of Georgia Contract # NASPO/WWCA A63307 with Dell Marketing, LP, for the lease of computer equipment and maintenance for a period of five (5) years.

**THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA HEREBY RESOLVES**, that the Mayor is authorized to enter into a cooperative purchasing Agreement with Dell Marketing, LP, utilizing the State of Georgia Contract # NASPO/WSCA A63307 for the lease of computer equipment and maintenance for a period of five (5) years, in an amount not to exceed Seven Hundred Seventy Six Thousand Six Hundred Fifty Four Dollars and Four Cents (\$776,654.04) per year.

**BE IT FURTHER RESOLVED**, that all contracted work will be charged to and paid from Fund, Account and Center Number 1A01 (General Fund) 575001 (Equipment) E25004 (IT Server Management).



**BE IT FURTHER RESOLVED**, that the Chief Procurement Officer is directed to prepare the appropriate Agreement for execution by the Mayor.

**BE IT FINALLY RESOLVED**, that the Agreement will not become binding upon the City and the City will incur no obligation or liability under it until it has been approved by the City Attorney as to form, executed by the Mayor, attested to by the Municipal Clerk, and delivered to the contracting parties.



**Part II: Legislative White Paper:** (This portion of the Legislative Request Form will be shared with City Council members and staff)

**A. To be completed by Legislative Counsel:**

**Committee of Purview:** Finance/ Executive Committee

**Caption:** A RESOLUTION AUTHORIZING THE MAYOR OR HER DESIGNEE TO ENTER INTO A COOPERATIVE PURCHASING AGREEMENT PURSUANT TO SECTION 2-1601 ET. SEQ. OF THE CITY OF ATLANTA CODE OF ORDINANCES, UTILIZING THE STATE OF GEORGIA CONTRACT #NASPO/WSCA A63307 WITH DELL MARKETING, LP, FOR THE LEASE OF COMPUTER EQUIPMENT AND MAINTENANCE FOR A PERIOD OF FIVE (5) YEARS, ON BEHALF OF THE DEPARTMENT OF INFORMATION TECHNOLOGY, IN AN AMOUNT NOT TO EXCEED SEVEN HUNDRED SEVENTY SIX THOUSAND SIX HUNDRED FIFTY FOUR DOLLARS AND FOUR CENTS (\$776,654.04) PER YEAR; ALL CONTRACTED WORK SHALL BE CHARGED TO AND PAID FROM FUND ACCOUNT AND CENTER NUMBER 1A01 (GENERAL FUND) 575001 (EQUIPMENT) E25004 (IT SERVER MANAGEMENT); AND FOR OTHER PURPOSES.

**Council Meeting Date:** January 7, 2008

**Requesting Dept.:** Department of Information Technology

**B. To be completed by the department:**

**1. Please provide a summary of the purpose of this legislation (Justification Statement).**

Request from DIT to enter into 5-year Lease agreement with Dell Marketing LP utilizing the state of Georgia Contract NASPO/WSCA A63307 for the lease of computer equipment and maintenance in the amount of \$776,654.04 per year for a total of \$3,530,245.65. The equipment shall be charged to 1A01/575001/E25004

**2. Please provide background information regarding this legislation.**

DIT seeks approval to amend the master lease with Dell Inc for the amount of \$775,000.00 The amendment will allow for server consolidation realizing a reduction of capital expenditures while providing increased capacity for growth.

**3. If Applicable/Known:**



(a) **Contract Type (e.g. Professional Services, Construction Agreement, etc):**

(b) **Source Selection:** Dell

(c) **Bids/Proposals Due:** n/a

(d) **Invitations Issued:** n/a

(e) **Number of Bids:** n/a

(f) **Proposals Received:** n/a

(g) **Bidders/Proponents:** n/a

(h) **Term of Contract:** 5 Years

**4. Fund Account Center (Ex. Name and number):** 1A01/575001/E25004

**5. Source of Funds:** n/a

**6. Fiscal Impact:** \$776,654.04

**7. Method of Cost Recovery:** n/a

**This Legislative Request Form Was Prepared By:** Kathleen Lane



## Legislation Summary

### Committee of Purview:

#### Caption

A RESOLUTION AUTHORIZING THE MAYOR OR HER DESIGNEE TO ENTER INTO A COOPERATIVE PURCHASING AGREEMENT PURSUANT TO SECTION 2-1601 ET. SEQ. OF THE CITY OF ATLANTA CODE OF ORDINANCES, UTILIZING THE STATE OF GEORGIA CONTRACT #NASPO/WSCA A63307 WITH DELL MARKETING, LP, FOR THE LEASE OF COMPUTER EQUIPMENT AND MAINTENANCE FOR A PERIOD OF FIVE (5) YEARS, ON BEHALF OF THE DEPARTMENT OF INFORMATION TECHNOLOGY, IN AN AMOUNT NOT TO EXCEED SEVEN HUNDRED SEVENTY SIX THOUSAND SIX HUNDRED FIFTY FOUR DOLLARS AND FOUR CENTS (\$776,654.04) PER YEAR; ALL CONTRACTED WORK SHALL BE CHARGED TO AND PAID FROM FUND ACCOUNT AND CENTER NUMBER 1A01 (GENERAL FUND) 575001 (EQUIPMENT) E25004 (IT SERVER MANAGEMENT); AND FOR OTHER PURPOSES.

**Council Meeting Date:** January 7, 2008

**Legislation Title:** Resolution authorizing the Chief Procurement Officer to utilize the State of Georgia Contract #NASPO/WSCA A63307 with Dell Marketing, LP for the lease of computer equipment and maintenance for a five (5) year lease agreement on behalf of the Department of Information Technology in an amount not to exceed seven hundred seventy six thousand six hundred fifty four dollars and four cents (\$776, 654.04) per year and which will total three million five hundred thirty thousand two hundred forty five dollars and sixty five cents (\$3,530,245.65) during the five (5) year lease agreement. All contract work shall be charged to and paid from fund account and center number: 1A01 (General Fund), 575001 (Equipment), E25004 (IT Server Management).

**Requesting Department:** Department of Information Technology

**Contract Type:** N/A

**Source Selection:** State of Georgia Contract #NASPO/WSCA A63307

**Bids/Proposals Due:** N/A



<b>Invitations Issued:</b>	N/A
<b>Number of Bids/ Proposals Received:</b>	N/A
<b>Bidders/Proponents:</b>	N/A
<b>Justification Statement:</b>	N/A
<b>Background:</b>	N/A
<b>Fund Account Centers:</b>	1A01 (General Fund), 575001 (Equipment), E25004 (IT Server Management).
<b>Source of Funds:</b>	N/A
<b>Fiscal Impact:</b>	N/A
<b>Term of Contract:</b>	N/A
<b>Method of Cost Recovery:</b>	N/A
<b>Approval:</b>	
<b>DOF:</b>	
<b>DOL:</b>	
<b>Prepared By:</b>	Patricia Lowe, Buyer
<b>Contact Number:</b>	404.330.6583







# Scenario 1 Full migration with Email and File Archiving, Consolidating IBM DS4300s

Large Scenario - Mirrored SAN + Archive + 19 VM + 50 Blades

5 Year Lease

## Storage Consolidation and Protection

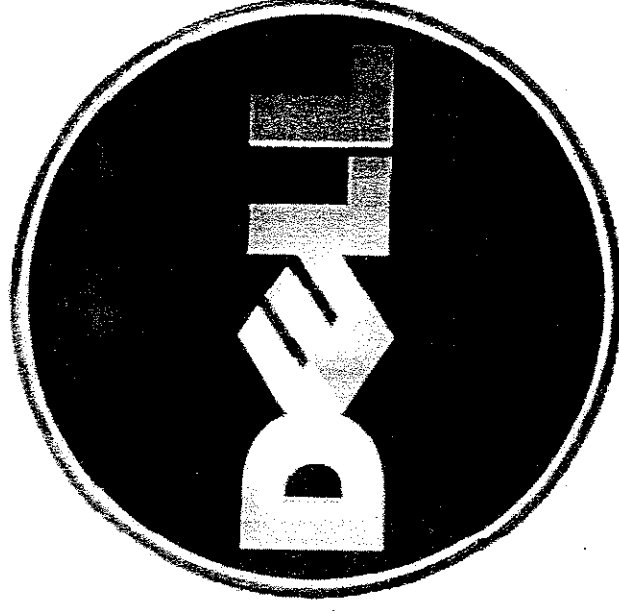
Description	Model/Configuration	Disk Storage (raw)	Array Software	CPUs Per server	Quota Number	Qty	Each	Total	Annual Lease Payment
CX3-80 Array for New data center SAN	Dell EMC CX3-80 SAN Array, 4 x Brocade 4100 FC4 Switches, 4 Clogic 2460 HBAs, Installation and Implementation, Five Years Support	68TB Total Storage: 20 TB for VMWare Consolidation, 11TB for NAS Shares, 18.5TB to replace 4300 Exchange, 3TB Oracle Portal	Navisphere Manager, SnapView, SAN Copy, MirrorView	480 disks max	388938023	1	\$627,295.06	\$627,295.06	\$138,004.91
Upgrade Exchange SAN, increase capacity to include Server Consolidation	Dell EMC Upgrade from CX3-20 to CX3-80, 2 x Brocade 4100 FC4 Switches, Installation and Implementation, Five Years Support	68TB Total Storage Leverages Existing Disk Investment (15.5TB for Exchange, 3TB Oracle Portal) additional 20TB for VMWare Consolidation, 11TB for NAS Shares, 18.5TB to replace 4300	Navisphere Manager, SnapView, SAN Copy	480 disks max	388938413	1	\$433,317.56	\$433,317.56	\$95,329.86
Buyback of 2 IBM 4300 SANs						2	-\$15,000.00	-\$39,000.00	-\$6,600.00
NS-40 Integrated NAS filers for consolidated File Shares	CFS, NFS, and iSCSI support, Installation and Implementation with Five Years of Support	11TB on SAN	Celera Manager Advanced, Celera Replicator			2	\$94,921.74	\$189,843.48	\$41,765.57
Recovery Point Continuous Remote Replication	4 x RecoverPoint Appliance, Installation and Implementation, Five Years Support	2 x Brocade Storage Router	n/a		1001374755	1	\$400,000.00	\$400,000.00	\$88,000.00
Email Archive Storage - EMC Centera	Centera 4 Node, Installation and Implementation, Five Years of HW/SW support	8TB Usable	Gov Edition SW Mirror SW		1001150991	2	\$112,654.89	\$225,309.78	\$49,568.15
Email and File Archive Software - Symantec E	E-Vault, E-Discovery, EV Journal Supervision, File System Archiving with 60 months support, implementation and Training	5000 Seats			386518004	1	\$762,639.00	\$762,639.00	\$167,780.59
							<b>Subtotal</b>	<b>\$2,608,404.88</b>	<b>\$571,849.07</b>

## Server Virtualization and Consolidation

Description	Model/Configuration	Disk Storage (raw)	RAM	CPUs Per server	Quota Number	Qty	Each	Total	Total
VMware Blade Server Farm	PowerEdge 955 Blade servers with Five Years of HW Support	2 x 146GB 10K RAID 1, Ologic HBAs	32GB	2 x Quad Core E5345 Intel processors	388938632	19	\$7,751.53	\$147,279.07	\$32,401.40
VMware Management Blade	PowerEdge 955 Blade server with Five Years of HW Support	2 x 146GB 10K RAID 1, Ologic HBAs	4GB	2 x Quad Core E5345 Intel processors	388938701	1	\$4,337.40	\$4,337.40	\$954.23
VMware - v13 Enterprise, VirtualCenter and Five Years of SW Support	19 v13 Enterprise, 1 VirtualCenter Licenses with Five Years of Maintenance				388719902	1	\$216,313.00	\$216,313.00	\$47,589.06
Blade Enclosure, Cisco IP and Brocade FC Switches	Digital KVM, 2 x Cisco Catalyst 3030, 2 x Brocade 4016				388938632	2	\$25,221.05	\$50,443.30	\$11,097.53
Blade Servers for SAN attached server consolidation	PowerEdge 955 Blade servers with Five Years of HW Support	2 x 146GB 10K RAID 1, Ologic HBAs	8GB	2 x Quad Core E5345 Intel processors	386363116	10	\$5,269.71	\$52,697.10	\$11,571.36
Blade Enclosure, Cisco IP and Brocade FC Switches	Digital KVM, 2 x Cisco Catalyst 3030, 2 x Brocade 4016				386363116	1	\$29,737.42	\$29,737.42	\$6,542.23
							<b>Subtotal</b>	<b>\$82,334.52</b>	<b>\$18,115.59</b>
Blade Servers for server consolidation	PowerEdge 955 Blade servers with Five Years of HW Support	2 x 146GB 10K RAID 1	n/a	2 x Quad Core E5345 Intel processors	388938749	40	\$4,084.34	\$163,373.60	\$35,942.19
Blade Enclosure, Cisco IP Switches	Digital KVM, 2 x Cisco Catalyst 3030				388938749	4	\$14,439.97	\$57,759.88	\$12,707.17
							<b>Subtotal</b>	<b>\$21,133.48</b>	<b>\$4,649.17</b>
Professional Services	P2V migrations, Data migration from IBM 4300s to CX3-80s, training				Budgetary	1	\$200,000.00	\$200,000.00	\$44,000.00
					<b>Total</b>			<b>\$3,530,245.65</b>	<b>\$776,654.04</b>



# **City of Atlanta Server and Storage Consolidation**



## **Executive Summary**



# Assessment Summary

The following assessments have been completed at the City in preparation of this proposal:

- Basic Consolidation Estimate (BCE)
  - Server virtualization / consolidation assessment for City Of Atlanta
  - Monitor ~100 physical servers in the City Of Atlanta environment
  - Identify workloads that are good candidates to be migrated into virtual machines
- File System Assessment (FSA)
  - Flat file assessment (non-database)
  - Assess 2TB of current data
  - Identify data that would benefit from archival and/or removal



# Server Consolidation

Dell is proposing to continue the trend toward virtualization of the server infrastructure by increasing the size and scope of the City's existing VMware farm. By utilizing 2-way servers, the City can obtain a cost and flexibility increase over larger, more expensive servers. Also proposed is a continued physical consolidation of older hardware. By utilizing Blades, the City can gain a density and cost benefit both in terms of hardware cost as well as power and cooling costs.

- Dell PowerEdge 1855/1955 Server Blades
  - Up to 10, 2 socket, quad-core Intel servers in a 7U chassis
  - Integrated Gigabit Ethernet switches for wiring consolidation
  - Integrated Brocade Fiber Channel SAN switches
  - Cost benefit vs. 1U or 2U comparable servers
  - Lower power and cooling requirements
- VMware Virtual Infrastructure 3
  - Industry leader in virtualization
  - Vmotion for movement of running Virtual Machines
  - HA/DRS for uptime and load balancing of the entire virtual server farm
  - Improve server utilization levels and increase overall CPU utilization from an industry average of 4% to 50% or above

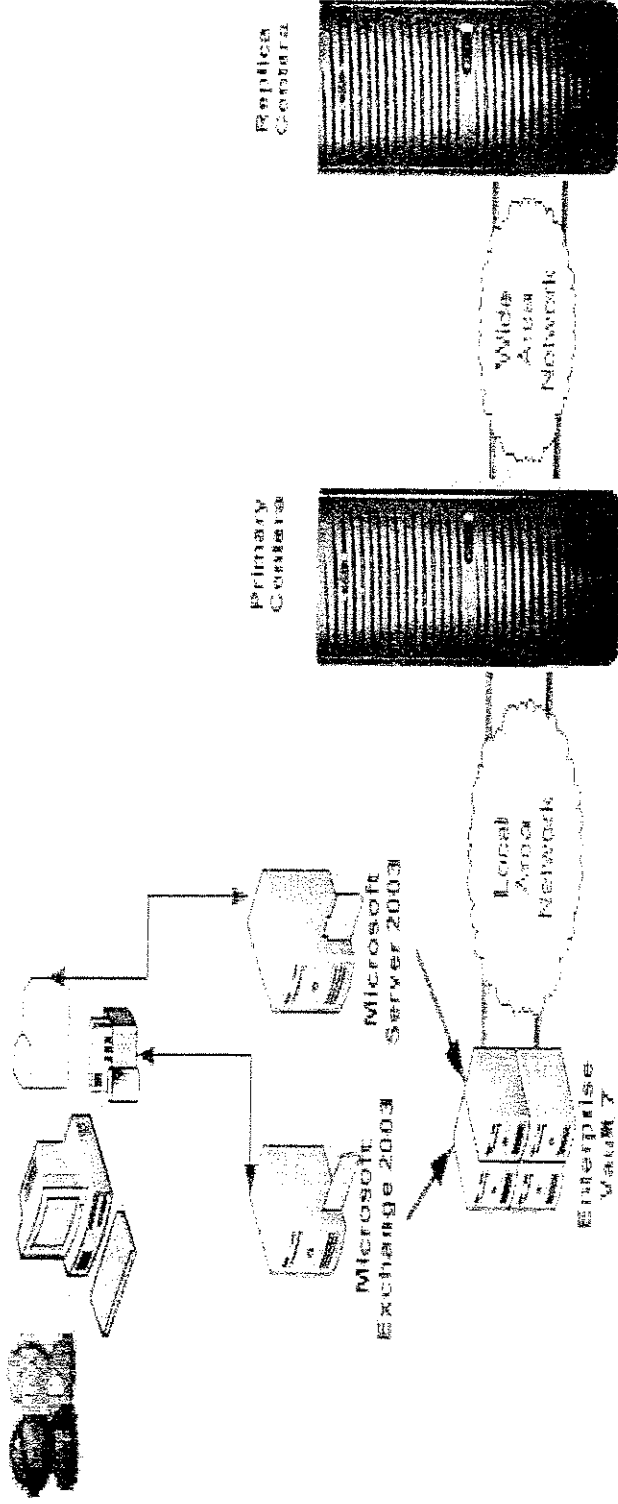




# Data Archiving

By combining Symantec's industry leading archive software with EMC's industry leading archival storage, Dell is creating an infrastructure to:

- Enable Enterprise wide search capabilities for email and file information
- Move older, non-changed data to a low cost storage platform to maximize the investment in Tier 1 SAN storage
- Provide a platform for chargeback and reporting



How Enterprise Vault Version 7 and EMC Centera integrate in a customer environment.





# Financial Detail

Storage - \$2,608,404.88

Servers - \$505,527.77

VMware - \$216,313.00

Services - \$200,000.00

Total - \$3,530,245.65

5 Year Payment - \$776,654.04

Includes 5 years of support and software maintenance on all storage, servers, and software.





# Assessment Overview

The Virtualization Assessment is designed to enable an effective way to evaluate the impact of virtual infrastructure and to highlight the benefits of virtualization.

More specifically, it explores leveraging a virtual infrastructure to address the specific needs of reducing server sprawl, maintaining manageable work capacities, and controlling the direct and downstream costs as a result of server growth and end-of-life server replacement needs

The assessment focuses on the consolidation of servers through virtualization. Though there are other types of consolidation, such as with applications and resources, those consolidation types are outside the scope of this assessment and will not be addressed.

The assessment used VMware's Capacity Planner to gather information on 78 servers in the City of Atlanta's environment. In turn, Dell combined this information with experienced consulting and professional services to analyze the information and report the findings.

The findings were typical of most datacenters in that a large percentage of the servers are underutilized and are candidates for consolidation through virtualization.

By deploying virtualization within datacenter, the following benefits can be realized

- **78 of the 79 servers analyzed are candidates for virtualization.**
- City of Atlanta will realize a **91% reduction in physical systems**
- **78 servers can be reduced to:**

- o (7) Dell 1955s with 2 Quad Core processors and 16GB of RAM

OR

- o (4) Dell 6850s with 4 Dual Core processors and 32GB of RAM

- **Free up 160U of rack space, which greatly reduces**

- o Power and cooling costs
- o Floor space costs

- Based on 1955 scenarios: Project investment of \$241,158 would be recouped within 8 months
- Hard Cost savings over a 3 year period would be \$846,088



# Power and Infrastructure Savings

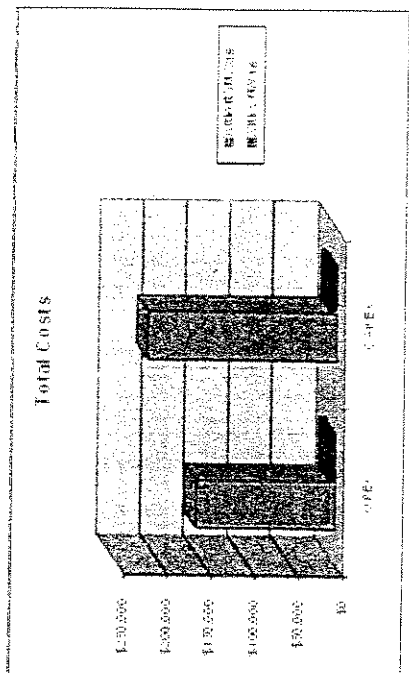
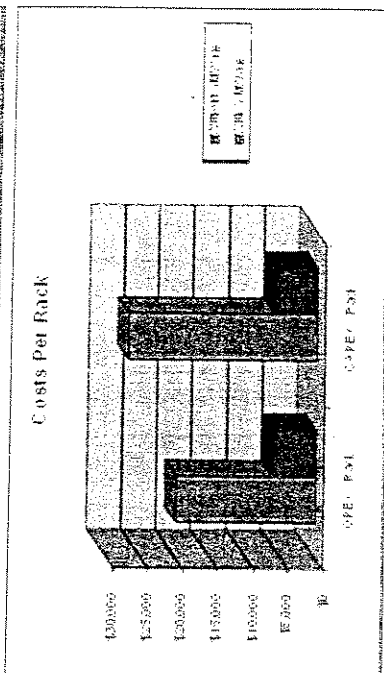
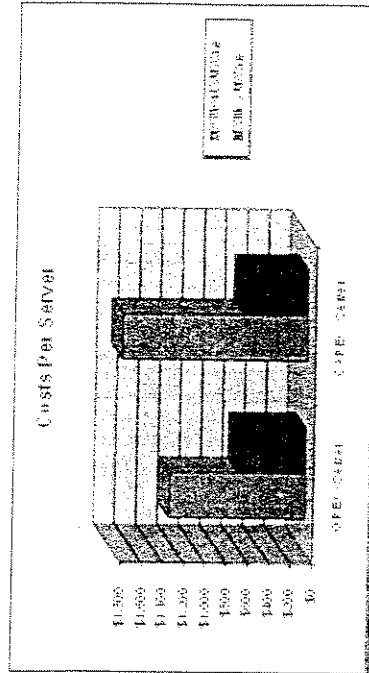


Server Count	Current State	Future State	Reduction / Savings
Total Number of Servers	125	10	115
80	0	0	0
40	13	0	13
20	94	0	94
10	19	7	12
Total Number of Racks	8	1	7

Operating Expenses	Current State	Future State	Reduction / Savings
Total Annual Power Costs	\$158,410	\$6,214	\$152,196
Power Costs Per Server	\$1,267	\$621	\$646
Power Costs Per Rack	\$19,801	\$6,214	\$13,587

Capital Expenditures	Current State	Future State	Reduction / Savings
Total Ann Infrastructure Costs	\$216,180	\$5,961	\$210,219
Infrastructure Cost Per Server	\$1,729	\$596	\$1,133
Infrastructure Cost Per Rack	\$27,022	\$5,961	\$21,062
Totals			
Total Annual Costs	\$374,590	\$12,174	\$362,415
Total Annual Costs Per Server	\$2,997	\$1,217	\$1,779
Total Annual Costs Per Rack	\$46,824	\$12,174	\$34,649

Investment in VMware	Current State	Future State
Licenses/Server	\$191,158	
Annual Maintenance	3 years included	
Implementation	\$50,000	
Total Initial Investment	\$241,158	
Total Annual Savings	\$362,415	
Net Value - Year 1	\$121,257	
3 Year ROI	\$848,088	





TRANSMITTAL FORM FOR LEGISLATION

TO: MAYOR'S OFFICE

ATTN: GREG PRIDGEON

Dept.'s Legislative Liaison: Lynn Thompson

Contact Number: 404-330-6964

Originating Department: Department of Information Technology

Committee(s) of Purview: Finance/ Executive Committee

Chief of Staff Deadline: November 26, 2007

Anticipated Committee Meeting Date(s): December 11-12, 2007

Anticipated Full Council Date: January 7, 2008

Legislative Counsel's Signature: [Signature]

Commissioner Signature: [Signature]

Chief Procurement Officer Signature: [Signature]

**CAPTION**

A RESOLUTION AUTHORIZING THE MAYOR OR HER DESIGNEE TO ENTER INTO A COOPERATIVE PURCHASING AGREEMENT PURSUANT TO SECTION 2-1601 ET. SEQ. OF THE CITY OF ATLANTA CODE OF ORDINANCES, UTILIZING THE STATE OF GEORGIA CONTRACT #NASPO/WSCA A63307 WITH DELL MARKETING, LP, FOR THE LEASE OF COMPUTER EQUIPMENT AND MAINTENANCE FOR A PERIOD OF FIVE (5) YEARS, ON BEHALF OF THE DEPARTMENT OF INFORMATION TECHNOLOGY, IN AN AMOUNT NOT TO EXCEED SEVEN HUNDRED SEVENTY SIX THOUSAND SIX HUNDRED FIFTY FOUR DOLLARS AND FOUR CENTS (\$776,654.04) PER YEAR; ALL CONTRACTED WORK SHALL BE CHARGED TO AND PAID FROM FUND ACCOUNT AND CENTER NUMBER 1A01 (GENERAL FUND) 575001 (EQUIPMENT) E25004 (IT SERVER MANAGEMENT); AND FOR OTHER PURPOSES.

FINANCIAL IMPACT (if any): \$776,654.04 per year

Mayor's Staff Only

Received by CPO: \_\_\_\_\_ Received by LC from CPO: \_\_\_\_\_  
(date) (date)

Received by Mayor's Office: 11/27/07 [Signature] Reviewed by: \_\_\_\_\_  
(date) (date)

Submitted to Council: \_\_\_\_\_  
(date)



**A RESOLUTION  
BY FINANCE/EXECUTIVE COMMITTEE**

**A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE CHANGE ORDER NO. 2 WITH M.C. DEAN, INC., FOR CONTRACT NO. FC-7687-04, SECURITY ACCESS CONTROL SYSTEM, ON BEHALF OF THE DEPARTMENT OF AVIATION, IN AN AMOUNT NOT TO EXCEED \$1,657,500; ALL CONTRACTED WORK WILL BE CHARGED TO AND PAID FROM FUND, ACCOUNT AND CENTER NUMBERS 2H26 (AIRPORT PASSENGER FACILITY CHARGE FUND) 574001 (FAC. OTHER THAN BLDGS) R21E012096AA (SECURITY IMPROVEMENTS); AND FOR OTHER PURPOSES.**

**WHEREAS**, the City of Atlanta ("City"), as owner and operator of the Hartsfield-Jackson Atlanta International Airport ("Airport"), has undertaken a Capital Improvement Program of the Airport; and

**WHEREAS**, the City entered into Contract No. FC-7687-04, Security Access Control System, with M.C. Dean, Inc., pursuant to Resolution 05-R-0218; and

**WHEREAS**, M.C. Dean, Inc. has substantially completed the Contract work; and

**WHEREAS**, M.C. Dean, Inc. claimed it was delayed in the performance of its work by the City for various reasons, including inadequate work hours available per night as compared to what was indicated in the Request for Proposals, and impacts due to other projects, and has, accordingly, made a claim against the City for an equitable adjustment of the compensation to be paid under the Contract; and

**WHEREAS**, the Department of Aviation and M.C. Dean, Inc. have negotiated a settlement of \$1,657,500 as full and final compensation for all impact costs associated with the claimed delays, to include extended general conditions and lost productivity; and

**WHEREAS**, the Aviation General Manager and the Chief Procurement Officer recommend the execution of Change Order No. 2 with M.C. Dean, Inc. for Contract FC-7687-04, Security Access Control System, in order to reflect the settlement in the amount of \$1,657,500.

**THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA, HEREBY RESOLVES**, that the Mayor is authorized to execute Change Order No. 2 with M.C. Dean, Inc. for Contract No. FC-7687-04, Security Access Control System, in an amount not to exceed \$1,657,500, for the purposes set forth in this Resolution;

**BE IT FURTHER RESOLVED**, that all contracted work will be charged to and paid from Fund, Account and Center Numbers 2H26 (Airport Passenger Facility Charge) 574001 (Fac. Other Than Buildings) R21E012096AA (Security Improvements).



**BE IT FURTHER RESOLVED**, that in addition to the monetary compensation payable in satisfaction of the Contractor's claim for equitable adjustment, the Contract term will be extended to 838 calendar days from the date of the Notice to Proceed.

**BE IT FURTHER RESOLVED**, that the City Attorney is directed to prepare an appropriate Change Order No. 2 for execution by the Mayor.

**BE IT FINALLY RESOLVED**, that Change Order No. 2 will not become binding on the City and the City will incur no obligation or liability under it until it has been executed by the Mayor, attested to by the Municipal Clerk, approved as to form by the City Attorney and delivered to M. C. Dean, Inc.



**Part II: Legislative White Paper:** (This portion of the Legislative Request Form will be shared with City Council members and staff)

**A. To be completed by Legislative Counsel:**

**Committee of Purview:**

**Caption:**

**Council Meeting Date:**

**Requesting Dept.:**

**B. To be completed by the department :**

**1. Please provide a summary of the purpose of this legislation (Justification Statement).**

***Example: The purpose of this legislation is to anticipate funds from a local assistance grant to purchase child safety seats.***

The purpose of this legislation is to authorize the Mayor to execute a Change Order # 2 with M.C. Dean, Inc. for FC-7687-04 Security Access Control System

**2. Please provide background information regarding this legislation.**

***Example: The task force of homelessness conducted a study regarding homelessness, its impact and consequences on the City. This resolution reflects the Mayor's desire to open a twenty-four hour center that will respond to the needs of the homelessness in Atlanta.***

The Contractor was delayed due to several factors during the course of the project. These factors included a discrepancy in the RFP as to the number of hours available to work each night, and impacts due to separate projects such as the installation of the new Hold Bag System. The Contractor requested compensation for lost productivity and extended general conditions. These requests were reviewed and analyzed by an outside claims consultant. Based on the consultant's analyses and subsequent negotiations between the Contractor, the Construction Manager, and DOA, the Contractor's approximately \$3.5 million total request was settled for \$1,657,500 million. This Change Order provides additional funding to the contract to allow payment of this settlement.

**3. If Applicable/Known:**

**(a) Contract Type (e.g. Professional Services, Construction Agreement, etc):** Construction



- (b) **Source Selection:** Sealed bids
- (c) **Bids/Proposals Due:** N/A
- (d) **Invitations Issued:** N/A
- (e) **Number of Bids:** N/A
- (f) **Proposals Received:** N/A
- (g) **Bidders/Proponents:** N/A
- (h) **Term of Contract:** 570 calendar days

4. **Fund Account Center:** \$1,657,500 from FAC 2H26 (Airport Passenger Facility Charge Fund) 574001 (Facilities Other than Bldgs) R21E012096AA ( Security Improvements)

5. **Source of Funds:** *Example: Local Assistance Grant* Passenger Facility Charges

6. **Fiscal Impact:** \$1,657,500

*Example: This legislation will result in a reduction in the amount of \_\_\_\_\_ to Fund Account Center Number \_\_\_\_\_.*

7. **Method of Cost Recovery:** PFC's

*Examples:*

- a. *Revenues generated from the permits required under this legislation will be used to fund the personnel needed to carry out the permitting process.*
- b. *Money obtained from a local assistance grant will be used to cover the costs of this Summer Food Program.*

**This Legislative Request Form Was Prepared By:** Andy Orr



TRANSMITTAL FORM FOR LEGISLATION

TO: MAYOR'S OFFICE

ATTN: GREG PRIDGEON

Dept.'s Legislative Liaison: Anita Williams

Contact Number: 404-530-6600

Originating Department: Aviation

Committee(s) of Purview: Finance/Executive

Chief of Staff Deadline: 11/26/07

Anticipated Committee Meeting Date(s): 12/12/07

Anticipated Full Council Date: 01/07/07

Commissioner Signature: Maudie

Chief Procurement Officer Signature: Edmund Smith

**CAPTION**

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE CHANGE ORDER NO. 2 WITH M.C. DEAN, INC., FOR CONTRACT NO. FC-7687-04, SECURITY ACCESS CONTROL SYSTEM, ON BEHALF OF THE DEPARTMENT OF AVIATION, IN AN AMOUNT NOT TO EXCEED \$1,657,500; ALL CONTRACTED WORK WILL BE CHARGED TO AND PAID FROM FUND, ACCOUNT AND CENTER NUMBERS 2H26 (AIRPORT PASSENGER FACILITY CHARGE FUND) 574001 (FAC. OTHER THAN BLDGS) R21E012096AA (SECURITY IMPROVEMENTS); AND FOR OTHER PURPOSES.

FINANCIAL IMPACT (if any) \$1,657,500

Mayor's Staff Only

Received by CPO: \_\_\_\_\_ Received by LC from CPO: \_\_\_\_\_  
(date) (date)

Received by Mayor's Office: 11/30/07 DN Reviewed by: \_\_\_\_\_  
(date) (date)

Submitted to Council: \_\_\_\_\_  
(date)



AN AMENDED RESOLUTION  
BY FINANCE/EXECUTIVE COMMITTEE

06-R-1667

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A MASTER AGREEMENT WITH TDC SYSTEMS INTEGRATION, INC. FOR FC-6006007881, CITYWIDE ON-CALL SERVICES FOR INFORMATION TECHNOLOGY STAFFING; AUTHORIZING THE CHIEF INFORMATION OFFICER OF THE DEPARTMENT OF INFORMATION TECHNOLOGY, THE DIRECTOR OF INFORMATION TECHNOLOGY OF THE DEPARTMENT OF WATERSHED MANAGEMENT AND THE AVIATION INFORMATION SYSTEMS DIRECTOR OF THE DEPARTMENT OF AVIATION TO EXECUTE ALL STATEMENTS OF WORK; ALL CONTRACTED WORK WILL BE CHARGED TO AND PAID FROM VARIOUS FUND, ACCOUNT AND CENTER NUMBERS NOT TO EXCEED \$400,000.00 PER YEAR FOR EACH DEPARTMENT, SPECIFICALLY, INFORMATION TECHNOLOGY, WATERSHED MANAGEMENT AND AVIATION, WITH THE TOTAL COST NOT TO EXCEED \$1,200,000.00; AND FOR OTHER PURPOSES.

**WHEREAS**, the City of Atlanta ("City") has made upgrades to its information technology infrastructure and applications and continues to upgrade these systems; and

**WHEREAS**, the City has upcoming information technology projects throughout City departments, including, without limitation, enterprise resource planning implementation, wireless networking, a storm water utility system, an asset management system, and a parking revenue control system; and

**WHEREAS**, the City's information technology systems require operations and maintenance with various manpower, expertise, and costs; and

**WHEREAS**, on-call staffing will provide the City with the flexibility to support these systems on an as-needed basis through work requests; and

**WHEREAS**, the Chief Information Officer of the Department of Information Technology, the Director of Information Technology for the Department of Watershed Management, and the Aviation Information Systems Director of the Department of Aviation will have the authority to execute statements of work on an as-needed basis; and

**WHEREAS**, the Aviation General Manager, Chief Information Technology Officer and Chief Procurement Officer recommend that an Agreement for FC-6006007881, Citywide On-Call IT Support Staffing, be awarded to TDC Systems Integration, Inc. on a non-exclusive basis; and

**WHEREAS**, the term of the agreement will be for one (1) year with a single one (1) year renewal option at the City's sole discretion.



**THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA, HEREBY RESOLVES**, that the Mayor is authorized to execute a master agreement with TDC Systems Integration, Inc. ("TDC") for FC-6006007881, Citywide On-call Services for Information Technology Staffing on a non-exclusive basis.

**BE IT FURTHER RESOLVED**, the Chief Information Officer of the Department of Information Technology, the Director of Information Technology for the Department of Watershed Management, and the Aviation Information Systems Director of the Department of Aviation will have the authority to execute statements of work on an as-needed basis for the support of the City's information technology system.

**BE IT FURTHER RESOLVED**, the term of the agreement will be for one (1) year with a single one (1) year renewal option at the City's sole discretion.

**BE IT FURTHER RESOLVED**, that all contracted work will be charged to and paid from various Fund, Account and Center Numbers.

**BE IT FURTHER RESOLVED**, that the City Attorney is directed to prepare an appropriate agreement for execution by the Mayor.

**BE IT FINALLY RESOLVED**, that the Agreement will not become binding on the City and the City will incur no obligation nor liability under it until it has been executed by the Mayor, attested to by the Municipal Clerk, approved as to form by the City Attorney and delivered to TDC.



**A RESOLUTION  
BY FINANCE/EXECUTIVE COMMITTEE**

**06- *R* -1667**

**A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A MASTER AGREEMENT WITH TDC SYSTEMS INTEGRATION, INC. FOR FC-6006007881, CITYWIDE ON-CALL SERVICES FOR INFORMATION TECHNOLOGY STAFFING; AUTHORIZING THE CHIEF INFORMATION OFFICER OF THE DEPARTMENT OF INFORMATION TECHNOLOGY, THE DIRECTOR OF INFORMATION TECHNOLOGY OF THE DEPARTMENT OF WATERSHED MANAGEMENT AND THE AVIATION INFORMATION SYSTEMS DIRECTOR OF THE DEPARTMENT OF AVIATION TO EXECUTE ALL STATEMENTS OF WORK; ALL CONTRACTED WORK WILL BE CHARGED TO AND PAID FROM VARIOUS FUND, ACCOUNT AND CENTER NUMBERS; AND FOR OTHER PURPOSES.**

**WHEREAS**, the City of Atlanta ("City") has made upgrades to its information technology infrastructure and applications and continues to upgrade these systems; and

**WHEREAS**, the City has upcoming information technology projects throughout City departments, including, without limitation, enterprise resource planning implementation, wireless networking, a storm water utility system, an asset management system, and a parking revenue control system; and

**WHEREAS**, the City's information technology systems require operations and maintenance with various manpower, expertise, and costs; and

**WHEREAS**, on-call staffing will provide the City with the flexibility to support these systems on an as-needed basis through work requests; and

**WHEREAS**, the Chief Information Officer of the Department of Information Technology, the Director of Information Technology for the Department of Watershed Management, and the Aviation Information Systems Director of the Department of Aviation will have the authority to execute statements of work on an as-needed basis; and

**WHEREAS**, the Aviation General Manager, Chief Information Technology Officer and Chief Procurement Officer recommend that an Agreement for FC-6006007881, Citywide On-Call IT Support Staffing, be awarded to TDC Systems Integration, Inc. on a non-exclusive basis; and

**WHEREAS**, the term of the agreement will be for one (1) year with a single one (1) year renewal option at the City's sole discretion.

**THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA, HEREBY RESOLVES**, that the Mayor is authorized to execute a master agreement with TDC Systems Integration, Inc. ("TDC") for FC-6006007881, Citywide On-call Services for Information Technology Staffing on a non-exclusive basis.



**BE IT FURTHER RESOLVED**, the Chief Information Officer of the Department of Information Technology, the Director of Information Technology for the Department of Watershed Management, and the Aviation Information Systems Director of the Department of Aviation will have the authority to execute statements of work on an as-needed basis for the support of the City's information technology system.

**BE IT FURTHER RESOLVED**, the term of the agreement will be for one (1) year with a single one (1) year renewal option at the City's sole discretion.

**BE IT FURTHER RESOLVED**, that all contracted work will be charged to and paid from various Fund, Account and Center Numbers.

**BE IT FURTHER RESOLVED**, that the City Attorney is directed to prepare an appropriate agreement for execution by the Mayor.

**BE IT FINALLY RESOLVED**, that the Agreement will not become binding on the City and the City will incur no obligation nor liability under it until it has been executed by the Mayor, attested to by the Municipal Clerk, approved as to form by the City Attorney and delivered to TDC.




Shirley Franklin  
Mayor

Benjamin R. DeCosta  
Aviation General Manager

DATE: May 8, 2006

TO: Adam L. Smith, Chief Procurement Officer  
Department of Procurement

FROM: Mario C. Diaz, Deputy General Manager   
Department of Aviation

SUBJECT: **FC-6006007881- Citywide On-Call Services for Information  
Technology Staffing**

Having completed review of RFP responses for subject project, DOA recommends award to the top five (5) ranked proponents, **ETI Inc., Think Development System Inc., DMJM Aviation, Inc./ SL King Technologies, TDC, and Analytic Professional Inc.** Although it was originally our intent to recommend award only to the top four (4) ranked proponents, there was a tie for fourth and fifth place, creating a top five (5), (see attachment for tabulation of scores). Given the diversity of technical staffing that will be required, we believe the City will benefit significantly from having the added option of a fifth team.

The Fund-Account-Center to be used is **2H01-524001-R12006.**

If additional information is needed, please contact Philip Keller at 404-209-3175 ext. 151.

Attachment

MCD/pk/l

cc: B. DeCosta  
L. Lyttle  
L. Manigault  
M. Eady  
P. Keller  
C. Bell  
A. Williams  
G. Geeter  
C. Cail  
File





TRANSMITTAL FORM FOR LEGISLATION

TO: MAYOR'S OFFICE

ATTN: GREG PRIDGEON

Legislative Counsel (Signature): Megan S. Middleton

*Megan S. Middleton*

Contact Number: 6207

Originating Department: Aviation

Committee(s) of Purview: Finance/Executive

Council Deadline: July 31, 2006

Committee Meeting Date(s): Aug. 16, 2006

Full Council Date: Aug. 21, 2006

Commissioner Signature

*MA* *[Signature]*

**CAPTION**

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A MASTER AGREEMENT WITH TDC SYSTEMS INTEGRATION, INC. FOR FC-6006007881, CITYWIDE ON-CALL SERVICES FOR INFORMATION TECHNOLOGY STAFFING; AUTHORIZING THE CHIEF INFORMATION OFFICER OF THE DEPARTMENT OF INFORMATION TECHNOLOGY, THE DIRECTOR OF INFORMATION TECHNOLOGY OF THE DEPARTMENT OF WATERSHED MANAGEMENT AND THE AVIATION INFORMATION SYSTEMS DIRECTOR OF THE DEPARTMENT OF AVIATION TO EXECUTE ALL STATEMENTS OF WORK; ALL CONTRACTED WORK WILL BE CHARGED TO AND PAID FROM VARIOUS FUND, ACCOUNT AND CENTER NUMBERS; AND FOR OTHER PURPOSES.

FINANCIAL IMPACT (if any)

Mayor's Staff Only

Received by Mayor's Office:

(date)

8.1.06

Reviewed by:

*[Signature]*

Submitted to Council:

(date)

8/1/06



COMMITTEE AMENDMENT FORM

DATE: 8/16/6

COMMITTEE Finance/Executive

PAGE# (S) \_\_\_\_\_

ORD. I.D. # \_\_\_\_\_

SECTION(S) Caption 4th Resolue  
Clause

RESOL I.D. # 06-R-1667

PARAGRAPH \_\_\_\_\_

AMENDMENT: After the words "Fund, Account and  
Center Numbers" in the Caption and the 4th  
Whereas Clause insert the phrase "Not to exceed  
\$ 400,000.00 <sup>per year</sup> for each department, specifically Waterbed  
Management, Aviation and Information Technology,  
~~per year~~, with the total cost not to exceed \$1,200,  
000.00.



06-0 -1924

AN ORDINANCE  
BY:

06-0-

AN ORDINANCE TO PROVIDE FOR THE  
ANNEXATION OF LAND KNOWN AS THE  
SANDTOWN COMMUNITY TO THE CORPORATE  
LIMITS OF THE CITY OF ATLANTA; TO PROVIDE  
FOR THE NOTIFICATION OF THE DEPARTMENT  
OF COMMUNITY AFFAIRS; AND FOR OTHER  
PURPOSES.

**WHEREAS**, owners of real property and resident electors in the Horseshoe Community have applied to the City of Atlanta for annexation of certain property located within the Sandtown Community, as more fully described in exhibit "A" attached hereto; and

**WHEREAS**, the City of Atlanta has determined that the property is contiguous to the existing corporate limits of the City of Atlanta, and that the applicants include the title holder of record of more than 60% of the privately-owned land within the property, as evidenced by the records of the Fulton County Superior Court and more than 60% of the electors resident of the property, as evidenced by the list of electors drawn from the records of the Fulton County Board of Registrations and Elections; and

**WHEREAS**, the City of Atlanta has lawfully provided notice to the Board of Commissioners and the County Manager of Fulton County of the City of Atlanta's receipt of the Application for annexation of the property; and

**WHEREAS**, the City of Atlanta has held a public hearing regarding the application and the Council's consideration thereof and has complied with all applicable laws, ordinances, and agreements with respect to the processing of such application; and

**WHEREAS**, the City of Atlanta has the authority pursuant to O.C.G.A. §36-36-1 *et seq.* to annex certain property into the corporate limits of the City of Atlanta, provided that the Mayor and Council of the City of Atlanta determine that the annexation of the property would be in the best interest of the City and the residents of the area to be annexed; and

**WHEREAS**, any annexation must be approved by the United States Department of Justice pursuant to Section 5 of the Voting Rights Act of 1965; and

**WHEREAS**, the City of Atlanta has determined that the Application meets the requirements of law pursuant to O.C.G.A. §36-36-1 *et seq.*

**THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA HEREBY**

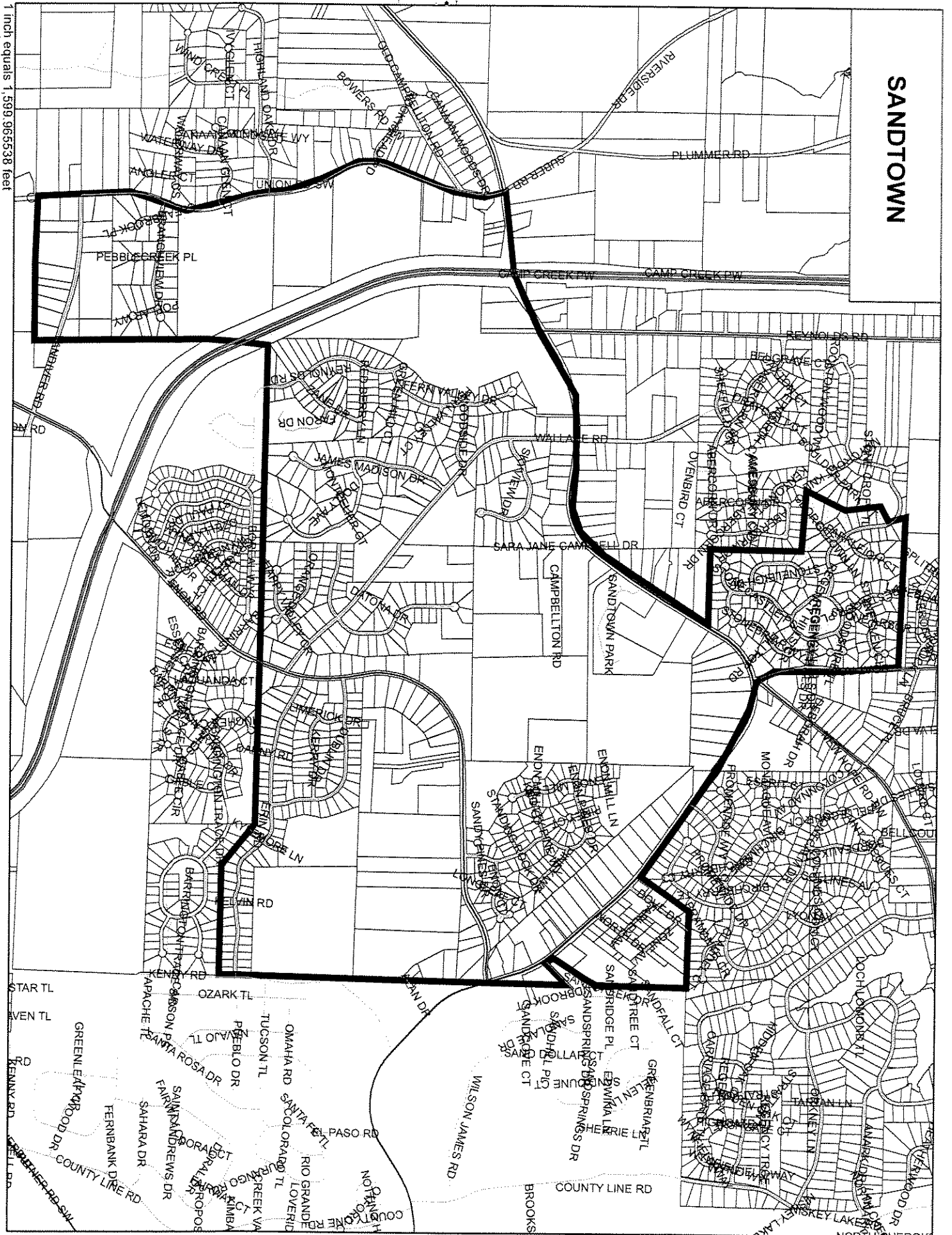


**ORDAINS, as follows:**

- Section 1.** That the Property is hereby annexed into the existing corporate limits of the City of Atlanta, Georgia.
- Section 2.** The department of law is hereby authorized and directed to Submit to the United States Department of Justice all necessary documentation required for the Department's review and approval of the Annexation pursuant to Section of the Voting Rights Act of 1965.
- Section 3.** The Department of Law is hereby authorized to file a report identifying the property annexed with the Department of Community Affairs and with the Governing Authority of Fulton County and to take all other actions required by law with regard to the adoption of this ordinance and the annexation of the property.
- Section 4.** This Ordinance shall become effective immediately upon approval by the Mayor unless otherwise specifically states by law.
- Section 5.** All ordinances or parts of ordinances in conflict with the terms of this Ordinance are hereby waived to the extent of the conflict.



# SANDTOWN



1 inch equals 1,599.96538 feet



RCS# 532  
9/18/06  
3:07 PM

Atlanta City Council

REGULAR SESSION

MULTIPLE      06-O-1924, 06-O-1926, 06-O-1929, 06-O-1932

TABLE

YEAS: 12  
NAYS: 0  
ABSTENTIONS: 0  
NOT VOTING: 1  
EXCUSED: 0  
ABSENT 3

Y Smith	Y Archibong	Y Moore	Y Mitchell
B Hall	Y Fauver	B Martin	Y Norwood
Y Young	Y Shook	Y Maddox	B Willis
Y Winslow	Y Muller	Y Sheperd	NV Borders

MULTIPLE



RCS# 739  
12/04/06  
3:24 PM

Atlanta City Council

REGULAR SESSION

MULTIPLE 06-O-1923, 06-O-1924, 06-O-1925, 06-O-1926  
06-O-1927  
REMOVE/REFER

YEAS: 15  
NAYS: 0  
ABSTENTIONS: 0  
NOT VOTING: 1  
EXCUSED: 0  
ABSENT 0

Y Smith	Y Archibong	Y Moore	Y Mitchell
Y Hall	Y Fauver	Y Martin	Y Norwood
Y Young	Y Shook	Y Maddox	Y Willis
Y Winslow	Y Muller	Y Sheperd	NV Borders

MULTIPLE



RCS# 698  
11/20/06  
2:06 PM

Atlanta City Council

REGULAR SESSION

MULTIPLE 06-O-1923, 06-O-1924, 06-O-1925, 06-O-1926  
06-O-1927  
REMAIN TABLED

YEAS: 15  
NAYS: 0  
ABSTENTIONS: 0  
NOT VOTING: 1  
EXCUSED: 0  
ABSENT 0

Y Smith	Y Archibong	Y Moore	Y Mitchell
Y Hall	Y Fauver	Y Martin	Y Norwood
Y Young	Y Shook	Y Maddox	Y Willis
Y Winslow	Y Muller	Y Sheperd	NV Borders

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MULTIPLE



RCS# 676  
11/06/06  
2:10 PM

Atlanta City Council

REGULAR SESSION

MULTIPLE

06-O-1923, 06-O-1924, 06-O-1925, 06-O-1926  
06-O-1927  
REMAIN TABLED

YEAS: 10  
NAYS: 0  
ABSTENTIONS: 0  
NOT VOTING: 3  
EXCUSED: 0  
ABSENT 3

Y Smith	NV Archibong	Y Moore	Y Mitchell
B Hall	B Fauver	B Martin	Y Norwood
Y Young	Y Shook	Y Maddox	Y Willis
Y Winslow	Y Muller	NV Sheperd	NV Borders

MULTIPLE



RCS# 624  
10/16/06  
1:43 PM

Atlanta City Council

REGULAR SESSION

MULTIPLE                    06-O-1923, 06-O-1924, 06-O-1925, 06-O-1926  
                                      06-O-1927,  
                                      REMAIN TABLED

YEAS: 10  
NAYS: 0  
ABSTENTIONS: 0  
NOT VOTING: 3  
EXCUSED: 0  
ABSENT 3

NV Smith	Y Archibong	B Moore	B Mitchell
Y Hall	Y Fauver	Y Martin	NV Norwood
Y Young	B Shook	Y Maddox	Y Willis
Y Winslow	Y Muller	Y Sheperd	NV Borders

MULTIPLE



RCS# 596  
10/02/06  
1:54 PM

Atlanta City Council

REGULAR SESSION

MULTIPLE

06-O-1923,24,25,26,27

REMAIN TABLED

YEAS: 14  
NAYS: 0  
ABSTENTIONS: 0  
NOT VOTING: 2  
EXCUSED: 0  
ABSENT 0

Y Smith	Y Archibong	Y Moore	Y Mitchell
Y Hall	Y Fauver	Y Martin	Y Norwood
Y Young	Y Shook	Y Maddox	NV Willis
Y Winslow	Y Muller	Y Sheperd	NV Borders

MULTIPLE



RCS# 582  
9/29/06  
10:29 AM

Atlanta City Council

REGULAR SESSION

MULTIPLE

06-O-1923,06-O-1924,06-O-1925,06-O-1926  
06-O-1927  
REMAIN TABLED

YEAS: 8  
NAYS: 0  
ABSTENTIONS: 0  
NOT VOTING: 1  
EXCUSED: 0  
ABSENT 7

Y Smith	Y Archibong	B Moore	B Mitchell
Y Hall	B Fauver	B Martin	Y Norwood
B Young	Y Shook	Y Maddox	B Willis
Y Winslow	B Muller	Y Sheperd	NV Borders

MULTIPLE



06-0-1926

AN ORDINANCE  
BY:

*Handwritten signatures: Hank, Sherrill, Jim Miller, H. D. [unclear], [unclear]*

06-0-

AN ORDINANCE TO PROVIDE FOR THE ANNEXATION OF LAND KNOWN AS CASCADE GLENN TO THE CORPORATE LIMITS OF THE CITY OF ATLANTA; TO PROVIDE FOR THE NOTIFICATION OF THE DEPARTMENT OF COMMUNITY AFFAIRS; AND FOR OTHER PURPOSES.

**WHEREAS**, owners of real property and resident electors in Cascade Glenn have applied to the City of Atlanta for annexation of certain property located within the Cascade Glenn (property), as more fully described in exhibit "A" attached hereto; and

**WHEREAS**, the City of Atlanta has determined that the property is contiguous to the existing corporate limits of the City of Atlanta, and that the applicants include the title holder of record of more than 60% of the privately-owned land within the property, as evidenced by the records of the Fulton County Superior Court and more than 60% of the electors resident of the property, as evidenced by the list of electors drawn from the records of the Fulton County Board of Registrations and Elections; and

**WHEREAS**, the City of Atlanta has lawfully provided notice to the Board of Commissioners and the County Manager of Fulton County of the City of Atlanta's receipt of the Application for annexation of the property; and

**WHEREAS**, the City of Atlanta has held a public hearing regarding the application and the Council's consideration thereof and has complied with all applicable laws, ordinances, and agreements with respect to the processing of such application; and

**WHEREAS**, the City of Atlanta has the authority pursuant to O.C.G.A. §36-36-1 *et seq.* to annex certain property into the corporate limits of the City of Atlanta, provided that the Mayor and Council of the City of Atlanta determine that the annexation of the property would be in the best interest of the City and the residents of the area to be annexed; and

**WHEREAS**, any annexation must be approved by the United States Department of Justice pursuant to Section 5 of the Voting Rights Act of 1965; and

**WHEREAS**, the City of Atlanta has determined that the Application meets the requirements of law pursuant to O.C.G.A. §36-36-1 *et seq.*

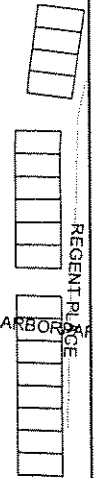
**THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA HEREBY ORDAINS, as follows:**



- Section 1.** That the Property is hereby annexed into the existing corporate limits of the City of Atlanta, Georgia.
- Section 2.** The department of law is hereby authorized and directed to Submit to the United States Department of Justice all necessary documentation required for the Department's review and approval of the Annexation pursuant to Section of the Voting Rights Act of 1965.
- Section 3.** The Department of Law is hereby authorized to file a report identifying the property annexed with the Department of Community Affairs and with the Governing Authority of Fulton County and to take all other actions required by law with regard to the adoption of this ordinance and the annexation of the property.
- Section 4.** This Ordinance shall become effective immediately upon approval by the Mayor unless otherwise specifically states by law.
- Section 5.** All ordinances or parts of ordinances in conflict with the terms of this Ordinance are hereby waived to the extent of the conflict.

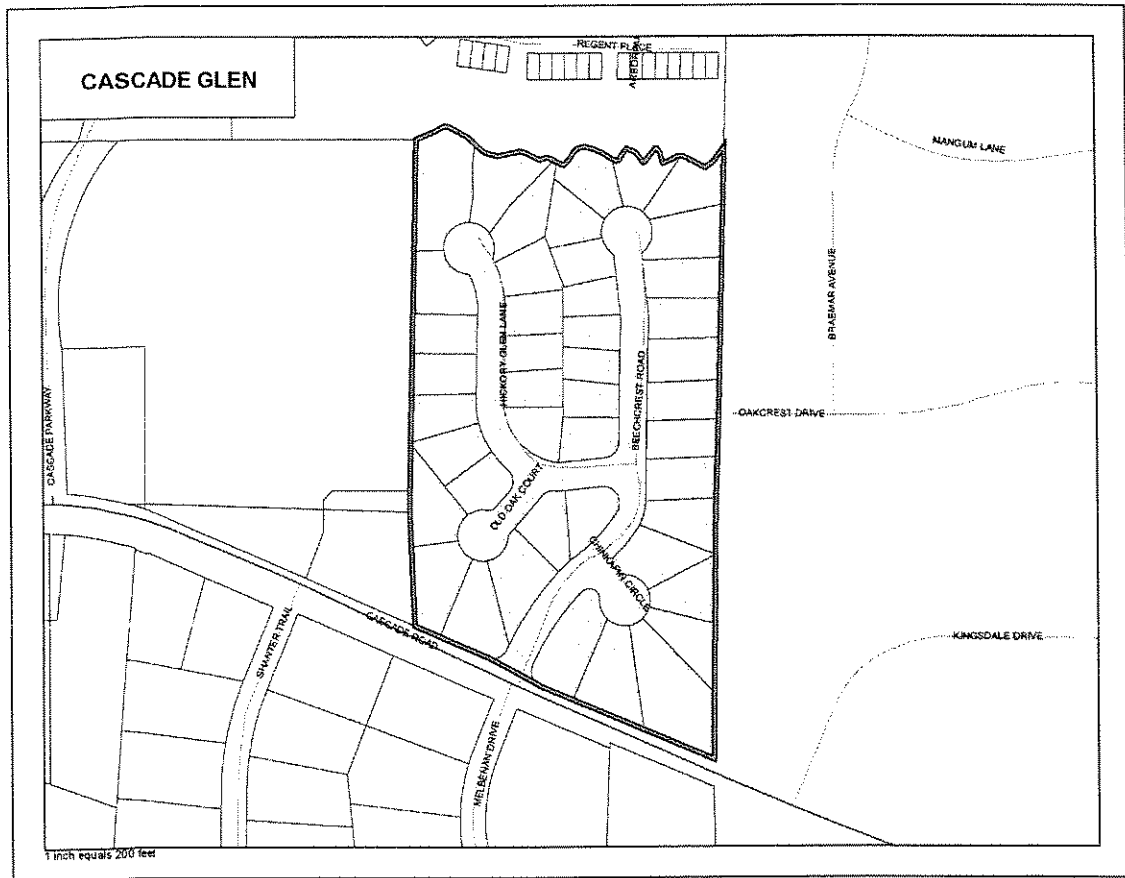


# CASCADE GLEN



1 inch equals 200 feet





## EXHIBIT A

### LEGAL DESCRIPTION:

#### CASCADE GLENN SUBDIVISION

ALL PARCELS LOCATED IN LAND LOTS 247 AND 248 OF THE 14TH DISTRICT, FULTON COUNTY, GEORGIA AND BEING MORE PARTICULARLY DECEIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE EASTERN LAND LOT LINE OF LAND LOT 248, BEING THE INCORPORATED LIMITS OF THE CITY OF ATLANTA, AND THE NORTHERLY RIGHT-OF-WAY OF CASCADE ROAD, SAID POINT BEING THE SOUTHEAST CORNER OF THE CASCADE GLENN SUBDIVISION, PROCEED ALONG SAID RIGHT-OF-WAY NORTHWEST TO THE SOUTHWEST CORNER OF SAID SUBDIVISION;

THENCE, LEAVING SAID RIGHT-OF-WAY, PROCEED NORTH ALONG THE WESTERN BOUNDARY LINE OF SAID SUBDIVISION, TO THE NORTHWEST CORNER OF SAID SUBDIVISION;

THENCE ALONG THE NORTHERN BOUNDARY OF SAID SUBDIVISION PROCEED EAST TO THE EASTERN LAND LOT LINE OF LAND LOT 247, BEING THE INCORPORATED LIMITS OF THE CITY OF ATLANTA, SAID POINT BEING THE NORTHEAST CORNER OF SAID SUBDIVISION;

THENCE SOUTH ALONG SAID LAND LOT LINE AND THE EASTERN LAND LOT LINE OF LAND LOT 248 TO THE NORTHERLY RIGHT-OF-WAY OF CASCADE ROAD.

SAID POINT BEING THE ORIGINAL POINT OF BEGINNING.

DATE	09-06-06	SCALE	N.T.S.
DESIGNED BY	PSC		
DRAWN BY	J.Mc		
FILE NO.	06-1040		
SHEET	1		
OF	ONE		

**HDR ENGINEERING, INC.**  
 301 PERIMETER CENTER NORTH SUITE 400  
 ATLANTA, GEORGIA 30346 678-775-6800  
 ENGINEERS • SURVEYORS • PLANNERS



RCS# 532  
9/18/06  
3:07 PM

Atlanta City Council

REGULAR SESSION

MULTIPLE 06-O-1924, 06-O-1926, 06-O-1929, 06-O-1932

TABLE

YEAS: 12  
NAYS: 0  
ABSTENTIONS: 0  
NOT VOTING: 1  
EXCUSED: 0  
ABSENT 3

Y Smith	Y Archibong	Y Moore	Y Mitchell
B Hall	Y Fauver	B Martin	Y Norwood
Y Young	Y Shook	Y Maddox	B Willis
Y Winslow	Y Muller	Y Sheperd	NV Borders

MULTIPLE



RCS# 739  
12/04/06  
3:24 PM

Atlanta City Council

REGULAR SESSION

MULTIPLE

06-O-1923, 06-O-1924, 06-O-1925, 06-O-1926  
06-O-1927  
REMOVE/REFER

YEAS: 15  
NAYS: 0  
ABSTENTIONS: 0  
NOT VOTING: 1  
EXCUSED: 0  
ABSENT : 0

Y Smith	Y Archibong	Y Moore	Y Mitchell
Y Hall	Y Fauver	Y Martin	Y Norwood
Y Young	Y Shook	Y Maddox	Y Willis
Y Winslow	Y Muller	Y Sheperd	NV Borders

MULTIPLE



RCS# 698  
11/20/06  
2:06 PM

Atlanta City Council

REGULAR SESSION

MULTIPLE 06-O-1923,06-O-1924,06-O-1925,06-O-1926  
06-O-1927  
REMAIN TABLED

YEAS: 15  
NAYS: 0  
ABSTENTIONS: 0  
NOT VOTING: 1  
EXCUSED: 0  
ABSENT 0

Y Smith	Y Archibong	Y Moore	Y Mitchell
Y Hall	Y Fauver	Y Martin	Y Norwood
Y Young	Y Shook	Y Maddox	Y Willis
Y Winslow	Y Muller	Y Sheperd	NV Borders

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MULTIPLE



RCS# 676  
11/06/06  
2:10 PM

Atlanta City Council

REGULAR SESSION

MULTIPLE

06-O-1923, 06-O-1924, 06-O-1925, 06-O-1926  
06-O-1927  
REMAIN TABLED

YEAS: 10  
NAYS: 0  
ABSTENTIONS: 0  
NOT VOTING: 3  
EXCUSED: 0  
ABSENT 3

Y Smith	NV Archibong	Y Moore	Y Mitchell
B Hall	B Fauver	B Martin	Y Norwood
Y Young	Y Shook	Y Maddox	Y Willis
Y Winslow	Y Muller	NV Sheperd	NV Borders

MULTIPLE



RCS# 624  
10/16/06  
1:43 PM

Atlanta City Council

REGULAR SESSION

MULTIPLE            06-O-1923, 06-O-1924, 06-O-1925, 06-O-1926  
                         06-O-1927,  
                         REMAIN TABLED

YEAS: 10  
NAYS: 0  
ABSTENTIONS: 0  
NOT VOTING: 3  
EXCUSED: 0  
ABSENT 3

NV Smith	Y Archibong	B Moore	B Mitchell
Y Hall	Y Fauver	Y Martin	NV Norwood
Y Young	B Shook	Y Maddox	Y Willis
Y Winslow	Y Muller	Y Sheperd	NV Borders

MULTIPLE



RCS# 596  
10/02/06  
1:54 PM

Atlanta City Council

REGULAR SESSION

MULTIPLE

06-O-1923,24,25,26,27

REMAIN TABLED

YEAS: 14  
NAYS: 0  
ABSTENTIONS: 0  
NOT VOTING: 2  
EXCUSED: 0  
ABSENT 0

Y Smith	Y Archibong	Y Moore	Y Mitchell
Y Hall	Y Fauver	Y Martin	Y Norwood
Y Young	Y Shook	Y Maddox	NV Willis
Y Winslow	Y Muller	Y Sheperd	NV Borders

MULTIPLE



RCS# 582  
9/29/06  
10:29 AM

Atlanta City Council

REGULAR SESSION

MULTIPLE 06-O-1923,06-O-1924,06-O-1925,06-O-1926  
06-O-1927  
REMAIN TABLED

YEAS: 8  
NAYS: 0  
ABSTENTIONS: 0  
NOT VOTING: 1  
EXCUSED: 0  
ABSENT 7

Y Smith	Y Archibong	B Moore	B Mitchell
Y Hall	B Fauver	B Martin	Y Norwood
B Young	Y Shook	Y Maddox	B Willis
Y Winslow	B Muller	Y Sheperd	NV Borders

MULTIPLE



CITY COUNCIL  
ATLANTA, GEORGIA

AN ORDINANCE  
BY COUNCILMEMBER JIM MADDOX

AN ORDINANCE TO PROVIDE FOR THE ANNEXATION  
OF LAND TO THE CORPORATE LIMITS OF THE CITY  
OF ATLANTA, GEORGIA; TO PROVIDE FOR THE  
NOTIFICATION OF THE DEPARTMENT OF  
COMMUNITY AFFAIRS OF THE STATE OF GEORGIA  
OF SUCH ANNEXATION; AND FOR OTHER PURPOSES

**WHEREAS**, the owner of real property (the "Applicant") has applied to the City of Atlanta for annexation ("the Application") of certain property consisting of 15.74 acres, more or less, as more fully described and delineated in Exhibits "A" and "B" attached hereto (the "Property"); and

**WHEREAS**, the City of Atlanta has determined that the Property is contiguous to the existing corporate limits of the City of Atlanta in excess of the minimum amount required for such annexations under O.C.G.A. § 36-36-1 *et seq.*; and

**WHEREAS**, the City of Atlanta has determined that the Applicant is the title holder of record of 100% of the privately owned land within the Property, as evidenced by the Clerk of the Superior Court of Fulton County, Georgia; and

**WHEREAS**, the requirements in O.C.G.A. § 36-66-4(d) governing procedures for the zoning of land to be annexed into a municipality have been satisfied; and

**WHEREAS**, the zoning classification approved by the City of Atlanta for the property which is the subject of the proposed annexation shall become effective on the later date of the date of the zoning is approved by the City of Atlanta or the date that the annexation becomes effective as required by O.C.G.A. § 36-36-2; and

**WHEREAS**, the City of Atlanta has lawfully provided notice to Fulton County, Georgia of all required information including notice of the City of Atlanta's receipt of the Application for annexation of the Property; and

**WHEREAS**, all issues between the City of Atlanta and Fulton County regarding the annexation have been resolved prior to the adoption of this ordinance; and

**WHEREAS**, the City of Atlanta has authority pursuant to O.C.G.A. § 36-36-1 *et seq.* to annex certain property into the corporate limits of the City of Atlanta, and that the Mayor and Council of the City of Atlanta have determined that the annexation of the Property would be in the best interest of the residents and property owners of the areas to be annexed and of the citizens of the City of Atlanta; and



**WHEREAS**, any proposed annexation must be approved by the United States Department of Justice pursuant to Section 5 of the Voting Rights Act of 1965; and

**WHEREAS**, the City of Atlanta has determined that the Application meets the requirements of law pursuant to O.C.G.A. § 36-36-1 *et seq.*; and

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA AS FOLLOWS:**

- Section 1.** The Property is hereby annexed to the existing corporate limits of the City of Atlanta, Georgia, pending approval by the United States Department of Justice pursuant to Section 5 of the Voting Rights Act of 1965.
- Section 2.** There is hereby filed, as part of this Ordinance and identified as Exhibits "A" and "B", a survey and legal description of the annexed land.
- Section 3.** The Municipal Clerk is hereby authorized and directed to submit to the United States Department of Justice all necessary documentation required for the Department's review and approval of the annexation pursuant to Section 5 of the Voting Rights Act of 1965.
- Section 4.** The Municipal Clerk is hereby authorized and directed to file a report identifying property annexed with the Department of Community Affairs of the State of Georgia and with the governing authority of Fulton County as required by O.C.G.A. § 36-36-3, and to take all other actions required by law with regard to the adoption of this ordinance and the annexation of the Property.
- Section 5.** The Ordinance shall become effective immediately for school enrollment purposes and for all other purposes in accordance with applicable provisions of Georgia law, contingent upon approval of the annexation by the United States Department of Justice pursuant to Section 5 of the Voting Rights Act of 1965.
- Section 6.** All Ordinances, or parts of Ordinances in conflict with the terms of this Ordinance are hereby waived to the extent of the conflict.



Exhibit "A"

ALL THAT TRACT OR PARCEL of real property lying and being in Land Lots 9 and 29 of the 14<sup>th</sup> District of Fulton County, Georgia, and being more particularly described as follows:

BEGINNING at an iron pin set at the intersection of the southeasterly right-of-way of Kimberly Road (having a 50 foot right-of-way) with the northerly land lot line of Land Lot 29; run thence along said northerly land lot line of Land Lot 29 and continuing along the northerly land lot line of Land Lot 9, South 89°15'00" East a distance of 1080.3 feet to an iron pin set on the westerly right-of-way of Atlantic Coastline Railroad (having a 100-foot right-of-way); thence southwesterly along said westerly right-of-way of said Atlantic Coastline Railroad a distance of 546.5 feet along the arc of a curve (said arc being subtended by a chord bearing South 04°27'00" West, 545.4 feet) to a concrete monument found; thence North 88°19'00" West a distance of 1458.5 feet to a concrete monument found; thence North 65°27'00" East a distance of 197.3 feet to an iron pin set; thence North 24°35'00" West a distance of 225.0 feet to an iron pin found on said southeasterly right-of-way of said Kimberly Road a distance of 408.7 feet along the arc of a curve (said arc being subtended by a chord bearing North 55°43'00" East, 405.4 feet) to an iron pin set being the POINT OF BEGINNING.

The above-described property contains 15.74 acres and is described as per Plat of Survey for Mrs. Meta R. Schneider, prepared by Bush, Steed, & Boyd, Inc., dated July 18, 1972, which plat is incorporated herein by this reference.



Exhibit "B"



## PETITION REQUESTING ANNEXATION

September, 28, 2006

To the City Council of the City of Atlanta, Georgia.

1. We, the undersigned, all of the owners of all real property of the territory described herein respectfully request that the City Council of the City of Atlanta, Georgia annex this territory to the City of Atlanta, Georgia, and extend the city boundaries to include the same.
2. The territory to be annexed is unincorporated and contiguous (as described in O.C.G.A. § 36-36-20) to the existing corporate limits of the City of Atlanta, Georgia and the description of such territory is as follows:

Parcel Id's: 14F-0029-LL-014-4  
and 14F-0009-LL-093-2

ALL THAT TRACT OR PARCEL of real property lying and being in Land Lots 9 and 29 of the 14th District of Fulton (F.F.) County, Georgia, and being more particularly described as follows:

Beginning at an iron pin set at the intersection of the southeasterly right-of-way of Kimberly Road (having a 50-foot right-of-way) with the northerly land lot line of Land Lot 29; run thence along northerly land lot line of Land Lot 29 and continuing along the northerly land lot line of Land Lot 9, south 85° 15' 00" East a distance of 1080.3 feet to an iron pin set on the westerly right-of-way of Atlantic Coastline Railroad (having a 100-foot right-of-way); thence southwesterly along said westerly right-of-way of said Atlantic Coastline Railroad a distance of 546.5 feet along the arc of a curve (said arc being subtended by a chord bearing South 04° 27' 00" West, 545.4 feet) to a concrete monument found; thence North 88° 19' 00" West a distance of 1458.5 feet to a concrete monument found; thence North 65° 27' 00" East a distance of 197.3 feet to an iron pin set; thence North 24° 35' 00" West a distance of 225.0 feet to an iron pin found on said southeasterly right-of-way of said Kimberly Road; thence northeasterly along said southeasterly right-of-way of said Kimberly Road a distance of 408.7 feet along the arc of a curve (said arc being subtended by a chord bearing North 55° 43' 00" East, 405.4 feet) to an iron pin set being the POINT OF BEGINNING.

The above-described property contains 15.74 acres and is described as per Plat of Survey for Mrs. Meta R. Schneider, prepared by Bush, Steed & Boyd, Inc., dated July 18, 1972, which plat is incorporated herein by this reference.

Name	Address
1.Derek J Tennyson	1323 Angel Falls Lane Atlanta, GA 30311
2.Angela S Tennyson	1323 Angel Falls Lane Atlanta, GA 30311

Signature

Date

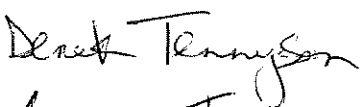

	9/27/06
	9/27/06



EXHIBIT "A"

Legal Description : 15.74 acre Kimberly Rd  
Tract

ALL THAT TRACT OR PARCEL of real property lying and being in Land Lots 9 and 29 of the 14th District of Fulton (F.F.) County, Georgia, and being more particularly described as follows:

BEGINNING at an iron pin set at the intersection of the southeasterly right-of-way of Kimberly Road (having a 50-foot right-of-way) with the northerly land lot line of Land Lot 29; run thence along said northerly land lot line of Land Lot 29 and continuing along the northerly land lot line of Land Lot 9, South  $89^{\circ}15'00''$  East a distance of 1080.3 feet to an iron pin set on the westerly right-of-way of Atlantic Coastline Railroad (having a 100-foot right-of-way); thence southwesterly along said westerly right-of-way of said Atlantic Coastline Railroad a distance of 546.5 feet along the arc of a curve (said arc being subtended by a chord bearing South  $04^{\circ}27'00''$  West, 545.4 feet) to a concrete monument found; thence North  $88^{\circ}19'00''$  West a distance of 1458.5 feet to a concrete monument found; thence North  $65^{\circ}27'00''$  East a distance of 197.3 feet to an iron pin set; thence North  $24^{\circ}35'00''$  West a distance of 225.0 feet to an iron pin found on said southeasterly right-of-way of said Kimberly Road; thence northeasterly along said southeasterly right-of-way of said Kimberly Road a distance of 408.7 feet along the arc of a curve (said arc being subtended by a chord bearing North  $55^{\circ}43'00''$  East, 405.4 feet) to an iron pin set being the POINT OF BEGINNING.

The above-described property contains 15.74 acres and is described as per Plat of Survey for Mrs. Meta R. Schneider, prepared by Bush, Steed, & Boyd, Inc., dated July 18, 1972, which plat is incorporated herein by this reference.





# 2006 TAX BILL

Arthur E. Ferdinand  
Tax Commissioner, Fulton County

141 Pryor Street  
Atlanta, Georgia 30303  
(404) 730-6100

Property Owner	Parcel Identification	Description	User ID
TENNYSON DEREK J & ANGELA S	14F-0029- LL-014-4 UNIMPROVED PROPERTY	REAL PROPERTY TAX DISTRICT: 55	UNINCORP/FUL

Property Address	Account Number	Fair Market Value	Assessed Value
KIMBERLY RD	1690455	105,900	42,360

County Exemption:			
County Tax Credit:	\$73.19	Service District Tax Credit:	Control #:274863

Levies	Assessment	Exemptions	Net Assessment	Net Rate	Net Tax
<b>FULTON</b>					
FUL GENERAL	42,360 -	0 =	42,360 X	.011407	= 483.20
FUL BONDS	42,360 -	0 =	42,360 X	.000063	= 2.67
FUL SCH BOND	42,360 -	0 =	42,360 X	.000282	= 11.95
FUL SCH OPR	42,360 -	0 =	42,360 X	.017825	= 755.07
STATE	42,360 -	0 =	42,360 X	.000250	= 10.59
SSD SFULTON	42,360 -	0 =	42,360 X	.005731	= 242.77
Total billed for 2006					1,506.25
Less amount paid					0.00
<b>Fulton Total Due</b>					<b>\$1,506.25</b>

PAY THIS AMOUNT FOR TAX YEAR 2006 . . . . . \$1,506.25

Please read the reverse side of this bill and enclosed brochure for additional information and instructions or call our 24-hour automated customer service line at (404) 730-6100.





# 2006 TAX BILL

Arthur E. Ferdinand  
Tax Commissioner, Fulton County

141 Pryor Street  
Atlanta, Georgia 30303  
(404) 730-6100

Property Owner	Parcel Identification	Description	User ID
TENNYSON DEREK J & ANGELA S	14F-0009- LL-093-2	REAL PROPERTY	
	UNIMPROVED PROPERTY	TAX DISTRICT: 55	
			UNINCORP/FUL

Property Address	Account Number	Fair Market Value	Assessed Value
1200 KIMBERLY RD	1665728	33,200	13,280

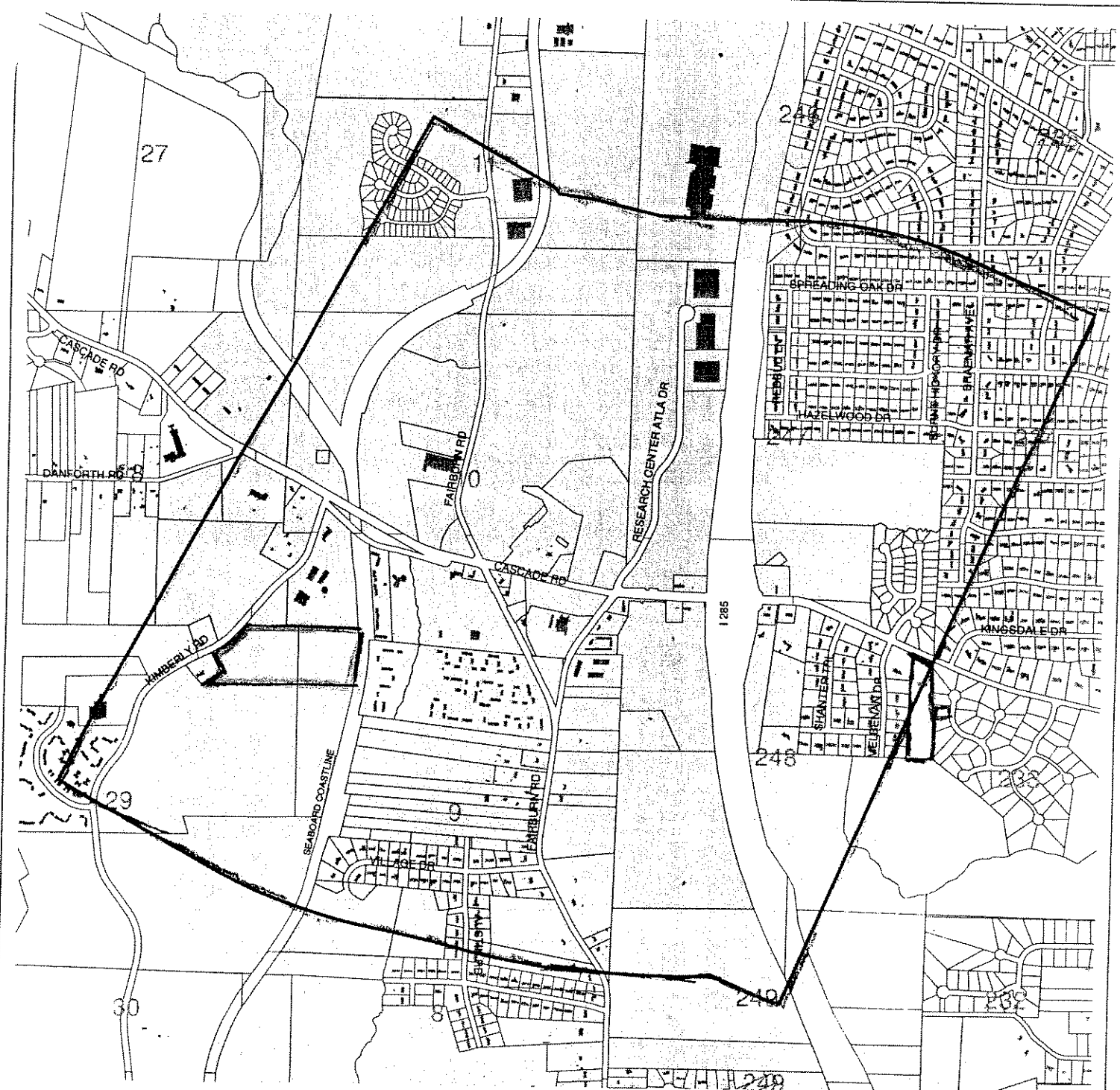
County Exemption:			
County Tax Credit:	\$22.94	Service District Tax Credit:	Control #: 274312

Levies	Assessment	Exemptions	Net Assessment	Net Rate	Net Tax
<b>FULTON</b>					
FUL GENERAL	13,280 -	O =	13,280 X .011407	=	151.48
FUL BONDS	13,280 -	O =	13,280 X .000063	=	0.84
FUL SCH BOND	13,280 -	O =	13,280 X .000282	=	3.74
FUL SCH OPR	13,280 -	O =	13,280 X .017825	=	236.72
STATE	13,280 -	O =	13,280 X .000250	=	3.32
SSD SFULTON	13,280 -	O =	13,280 X .005731	=	76.11
			Total billed for 2006		472.21
			Less amount paid		0.00
			<b>Fulton Total Due</b>		<b>\$472.21</b>

PAY THIS AMOUNT FOR TAX YEAR 2006 . . . . . \$472.21

Please read the reverse side of this bill and enclosed brochure for additional information and instructions or call our 24-hour automated customer service line at (404) 730-6100.





- Overlay District
- Parcel
- Landlot
- Parcels in Overlay District
- Buildings
- ATLANTA
- FULTON COUNTY

# Cascade Road Overlay District

Adopted February 7, 1996

\*\*\*All non-residentially zoned properties with in 3,500 feet of the center line of Cascade Road in unincorporated Fulton County between the Atlanta City limits and Danforth Road\*\*\*

300 0 300 600 Feet

9900568

Prepared by the Fulton County Department of  
Environment and Community Development  
Support Services  
GIS Geographic Information System



TENNYSON

N/E,  
COLONIAL PIPELINE CO.

N/E,  
SEVENTH DAY ADVENTISTS

ROAD

50' R/W

CH. = 405.4'  
A = 408.7'

← 1/2 COLONIAL PIPE LINE CO. R/W  
FOR R/W EASEMENTS SEE  
DEED BOOK 1779 - PAGE 04  
DEED BOOK 1881 - PAGE 453  
DEED BOOK 4172 - PAGE 540  
DEED BOOK 5390 - PAGE 10

15.74 ACRES

# 14F-0029-LL-014-4

# 14F-0009-LL-093-2

APPROX.  
LAND LOT LINE

589°-15'E  
1080.3'

LT 25  
LT 29  
LT 10  
LT 9

LAND LOT LINE

225.0'  
117.3' A

R.O.F.

R.O.F. N 88°-19' W

R.O.F.

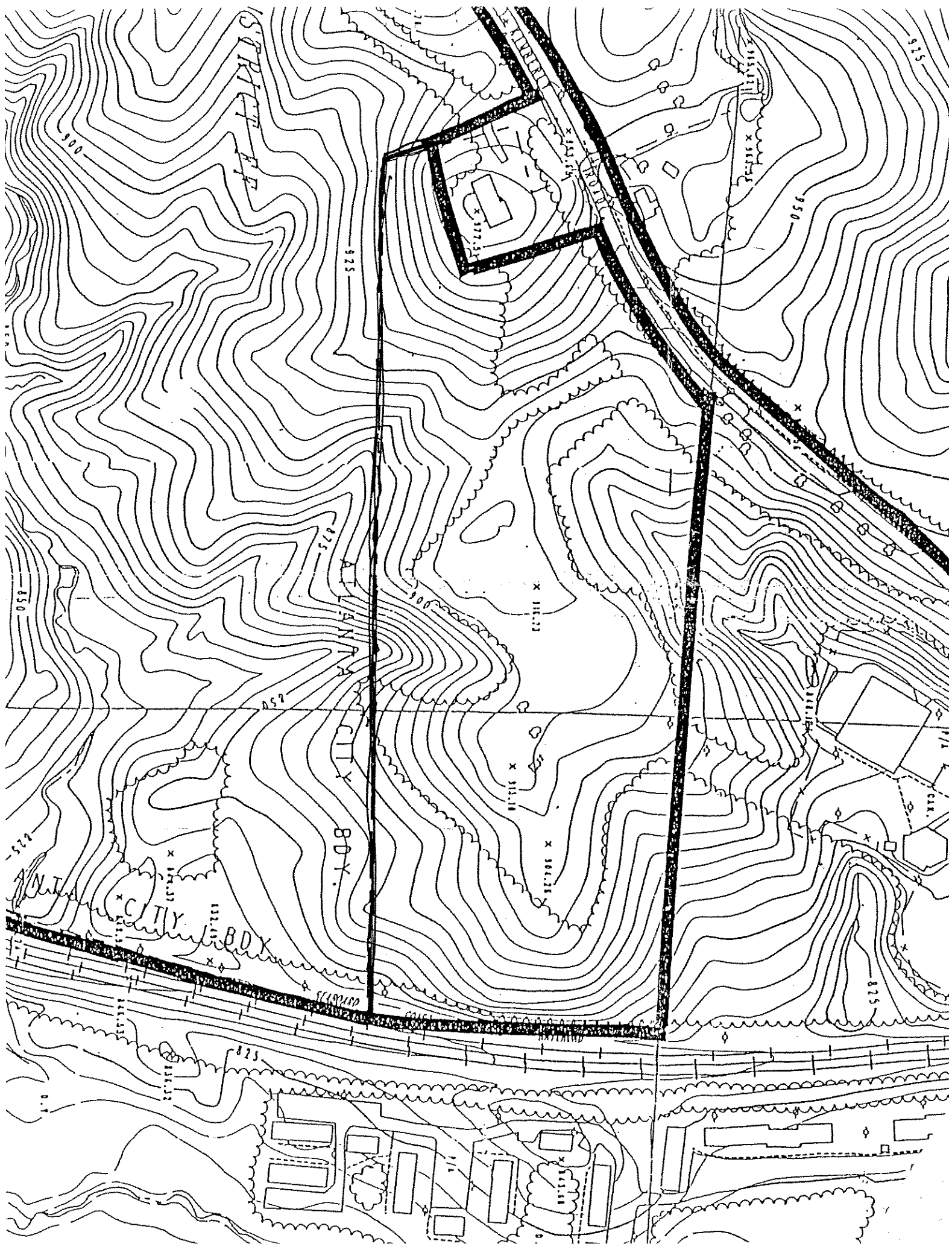
R.O.F.

R.O.F.

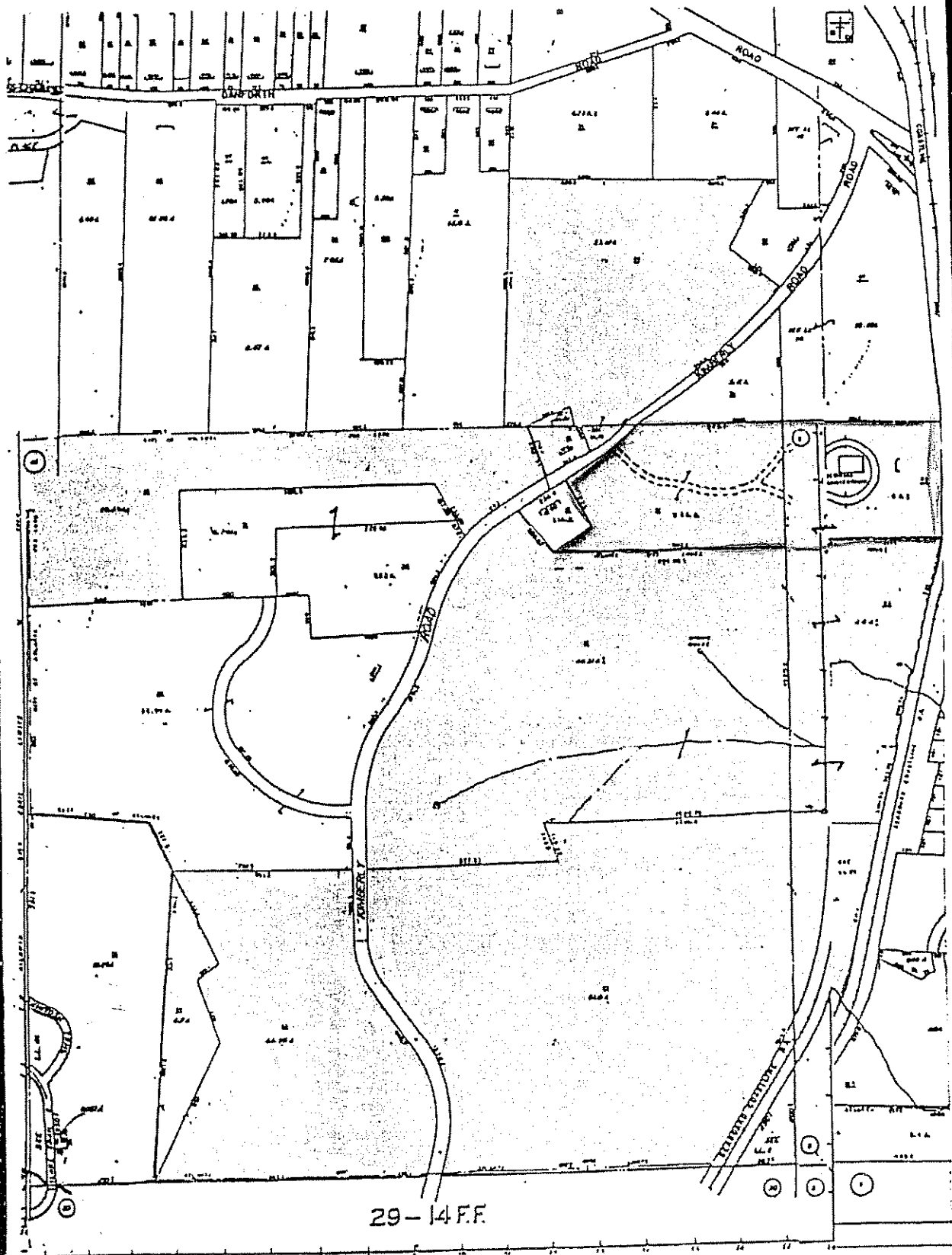
CONC. FOUND

N/E,  
KELLEY PROPERTIES









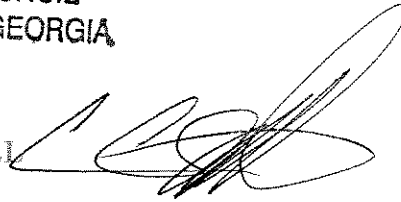
29-14 F.F.

Julian  
LeCraw  
& Co., Inc.

TAX PLAT



AN ORDINANCE  
BY COUNCILMEMBER CEASAR MITCHELL



AN ORDINANCE TO AMEND THE PROCUREMENT CODE OF  
THE CITY OF ATLANTA, GEORGIA BY ADDING TO SECTION  
2-1142; MONTHLY REPORT TO CITY COUNCIL; AND FOR  
OTHER PURPOSES.

WHEREAS, the City Council of Atlanta, Georgia adopted ordinance 06-O-0381 January 16, 2007 amending the Procurement and Real Estate Code of the City of Atlanta; and

WHEREAS, the limit for contract approval without authorization by City Council was raised to \$300,000.00; and

WHEREAS, the City Council wishes to ensure that it is notified of the intention of the Administration to enter into a contract that does not require Council authorization prior to its execution.

NOW, THEREFORE, IT IS HEREBY ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, AS FOLLOWS:

Section 1: That Section 2-1142 of the Code of the City of Atlanta be amended to read as follows:

Section 2-1142 Monthly report to city council.

The chief procurement officer shall submit to the council and to the municipal clerk

A. Before the 15<sup>th</sup> of each month a report listing for the previous month the following information:

- (1) The titles of all requests for proposals and the method of source selections to be used;
- (2) All contracts authorized by the council, the method of source selected used and the total dollar amount;
- (3) All contracts authorized by the chief procurement officer pursuant to section 2-1140(2), the method of source selection, as well as all emergency procurements pursuant to section 2-1192.
- (4) All change orders of contract modifications authorized by the council, the dollar amount, and the reason;
- (5) All change orders or contract modifications authorized by the purchasing director pursuant to section 2-1292(a)(1), the dollar amount, and the reason;



- (6) An explanation of any changes, and the costs involved, in the scope of services made between the time a contract is awarded and the time that a resolution authorizing the contract is sent to the council for adoption.

B. Before the 15<sup>th</sup> of each month a report listing for the upcoming month [REDACTED] all contracts less than \$300,000.00 which are intended to be executed without Council authorization.

Section 3: That all ordinances and parts of ordinances in conflict herewith are hereby repealed.



AN ORDINANCE BY

*Ann Faurer*  
*Carla Smith*

**AN ORDINANCE BY FINANCE/EXECUTIVE  
COMMITTEE AUTHORIZING THE CITY OF  
ATLANTA TO WAIVE THE COMPETITIVE  
PROCUREMENT PROVISIONS CONTAINED IN  
ARTICLE X, PROCUREMENT AND REAL ESTATE  
CODE OF THE CITY OF ATLANTA CODE OF  
ORDINANCES TO MAXIMIZE EFFICIENCY IN  
PURCHASING SYSTEMS FURNITURE FOR SEVERAL  
CITY OF ATLANTA CAPITAL PROJECTS; AND FOR  
OTHER PURPOSES.**

**WHEREAS**, the recent sale of City Hall East and the future establishment of various capital projects throughout the City of Atlanta ( the "City") has created a need to accommodate up to four thousand (4000) workstations and offices; break rooms; conference rooms and training rooms for City employees; and

**WHEREAS**, these capital projects include the Emergency 911 relocation at 180 Peachtree Street, the Department of Watershed location at 263 Decatur Street, the Public Safety headquarters, the Public Safety Annex, the Watershed Management campus, the Department of Information Technology Relocation, the Bureau of Buildings Relocation and the Department of Parks relocation at 180 Peachtree Street; and

**WHEREAS**, there is a need to purchase furniture systems with digital work stations for City employees to provide a quality work environment for improved functionality with the associated aforementioned capital projects; and

**WHEREAS**, the City recognizes that there are only four major system furniture manufacturers in the United States; and

**WHEREAS**, in an effort to ensure cost reduction and compliance with City Equal Business Opportunity goals and objectives, the City does not desire to use state of Georgia contracts to purchase these furniture systems; and

**WHEREAS**, the City has determined it is in the best interest of the City to grant a waiver of the public competitive bidding requirements described in Article X of the Procurement and Real Estate Code of the City of Atlanta Code of Ordinances to ensure the timely completion for the capital projects listed above; and

**WHEREAS**, the Commissioner of Parks, the Commissioner of Watershed Management, the Chief of Police, the Commissioner of Information Technology, the Commissioner of Planning and Community Development have recommended the waiver be contemplated by this Ordinance.



**THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA HEREBY ORDAINS:**

**Section 1:** The City hereby waives the requirement of public competitive bidding pursuant to Article X of the Procurement and Real Estate Code of the City of Atlanta Code of Ordinances for the purpose of the purchase of systems furniture for the Emergency 911 relocation at 180 Peachtree Street, Department of Watershed location at 263 Decatur Street, the Public Safety headquarters, Public Safety Annex, the Watershed Management campus, the Department of Information Technology Relocation, Bureau of buildings Relocation and the Department of Parks relocation at 180 Peachtree Street capital projects.

**SECTION 2:** The Chief Financial Officer is authorized to remit or accept payment, as appropriate, for the goods and services identified in Section One of this Ordinance.

**SECTION 3:** The Mayor or her designee is hereby authorized, on behalf of the City, to take any other and further action and to execute, acknowledge, accept and/or deliver and further instruments documents and assurances as deemed desirable and appropriate to consummate the temporary transactions authorized by this Ordinance and to effectuate the terms purposes and intent of this Ordinance.

**SECTION 4:** The selection process for the vendors shall include requests for specification submittals of offerance detailing each manufacture's furniture product line to meet the City's furniture standards over a three (3) year period and Standards Capability Evaluation Criteria for Furniture System Purchases as set out in Exhibit "A" hereto.

**SECTION 5:** The term of the contractual agreement (the "Agreement") shall not exceed three (3) years or the date of December 31, 2009, whichever shall first occur, and shall have the option of two (2) six (6) month renewals thereafter.

**SECTION 6:** This Agreement will not become binding upon the City and the City will incur no obligation or liability under it until it has been executed by the Mayor, attested to by the Municipal Clerk, approved as to form by the City Attorney and delivered to Systems & Software, Inc.

**SECTION 7:** All Ordinances in conflict are waived for this instance only.



**Exhibit A**  
**Capability Evaluation Criteria for Furniture System Purchases**

**Phase 1 - Submissions from Manufacturers:**

Furniture systems manufacturers shall submit an Equality of Technical Submissions to the Standards (the "ETSS") to the City of Atlanta Capital Projects Officer providing a copy to the City of Atlanta Department of Procurement.

**Phase 2 - Submissions from Dealer and Installation teams:**

**Step 1** - Manufacturers shall then submit the ETSS to Certified Dealers and Installers.

**Step 2** - After receipt of the ETSS, certified dealers and installers shall then remit to the City of Atlanta Department of Procurement, providing a copy to the City of Atlanta Capital Projects Officer, an offerance of proposal for evaluation and selection a proposal which shall include the following:

1. The ETSS received from the Manufacturer.
2. Name of the Local dealer and installation team.
3. Documents demonstrating the ability to meet City of Atlanta Equal Business Opportunity goals and requirements.
4. Documents demonstrating the ability to complete the listed projects in the time allotted for the contract term.
5. Documents demonstrating an uniform approach to furniture that allows flexibility between departments.
6. A unit price schedule based upon the manufacturer's ETSS for supply, delivery and installation of the furniture systems.



CITY COUNCIL  
ATLANTA, GEORGIA.

07-0-0623

**AN ORDINANCE  
BY COUNCILMEMBER JIM MADDOX**

**AN ORDINANCE TO PROVIDE FOR THE ANNEXATION  
OF 4505 BIRDIE LANE, SW, ATLANTA, GEORGIA,  
30331, 0.404 ACRES OF LAND LOCATED IN LAND LOT  
61 OF THE 14TH DISTRICT OF FULTON COUNTY TO  
THE CORPORATE LIMITS OF THE CITY OF ATLANTA,  
GEORGIA; TO PROVIDE FOR THE NOTIFICATION OF  
THE DEPARTMENT OF COMMUNITY AFFAIRS OF  
THE STATE OF GEORGIA OF SUCH ANNEXATION;  
AND FOR OTHER PURPOSES**

**WHEREAS**, the owner of real property (the "Applicant") has applied to the City of Atlanta for annexation ("the Application") of certain property identified as 4505 Birdie Lane, SW, as more fully described and delineated in Exhibits "A", "B", "C" and "D" attached hereto (the "Property"); and

**WHEREAS**, the City of Atlanta has determined that the Property is contiguous to the existing corporate limits of the City of Atlanta in excess of the minimum amount required for such annexations under O.C.G.A. 5 36-36-1 et seq.; and

**WHEREAS**, the City of Atlanta has determined that the Applicant is the title holder of record of 100% of the privately owned land within the Property, as evidenced by the Clerk of the Superior Court of Fulton County, Georgia; and

**WHEREAS**, the City of Atlanta has lawfully provided notice to Fulton County, Georgia of all required information including notice of the City of Atlanta's receipt of the Application for annexation of the property; and

**WHEREAS**, all issues between the City of Atlanta and Fulton County regarding the annexation have been resolved prior to the adoption of this ordinance; and

**WHEREAS**, THE City of Atlanta has complied with all other applicable laws, ordinances and agreements with respect to the processing of the application; and

**WHEREAS**, the City of Atlanta has authority pursuant to O.C.G.A § 36-36-1 et seq. to annex certain property into the corporate limits of the City of Atlanta, and that the Mayor and Council of the City of Atlanta have determined that the annexation of the property would be in the best interest of the residents and property owners of the area to be annexed and of the citizens of the City of Atlanta; and



**WHEREAS**, any proposed annexation must be approved by the United States Department of justice pursuant to Section 5 of the Voting Rights Act of 1965; and

**WHEREAS**, the City of Atlanta has determined that the application meets the requirements of law pursuant to O.C.G.A. § 36-36-1 et seq.

**NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA AS FOLLOWS:**

- Section 1. The Property is hereby annexed to the existing corporate limits of the City of Atlanta, Georgia, pending approval by the United States Department of Justice pursuant to Section 5 of the Voting Rights Act of 1965.
- Section 2. There is hereby filed, as part of this Ordinance and identified as Exhibits "A", "B", "C" and "D" a complete survey and legal description of the annexed land.
- Section.3. The Department of Law is hereby authorized and directed to submit to the United States Department of justice all necessary documentation required for the Department's review and approval of the annexation pursuant to Section 5 of the Voting Rights Act of 1965.
- Section 4. The Department of Law is hereby authorized and directed to file a report identifying property annexed with the Department of Community Affairs of the State of Georgia and with the governing authority of Fulton County as required by O.C.G.A. § 36-36-3, and to take all other actions required by law with regard to the adoption of this ordinance and the annexation of the Property.
- Section 5. This ordinance shall become effective immediately upon approval by the Mayor Unless otherwise specifically stated by law. Notwithstanding the foregoing Sentence, the effective date of this ordinance for school enrollment purposes of the Atlanta Public School System shall be July 1, 2007.
- Section 6. All Ordinances or parts of Ordinances in conflict with the terms of this Ordinance are hereby repealed; but it is hereby provided that any Ordinance or law, which may be applicable hereto and aid in carrying out the intent, purpose and provisions hereof, shall be liberally construed to be in favor of the City of Atlanta and is hereby adopted as a part hereof.



Exhibit "A"

**Charles A. & Yvonne K. Hammonds**  
**4505 Birdie Lane, S.W.**  
**Atlanta, GA 30331-7253**  
**404-691-3328**

February 24, 2007

FEB 26 2007

mb

Ms. Rhonda Dauphin Johnson  
Atlanta Municipal Clerk  
55 Trinity Avenue, S.W.  
Atlanta, Georgia 30303

Dear Ms. Johnson:

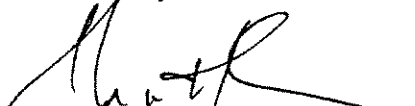
Post Mark Date 2.24.07  
By EL


We would like our property at 4505 Birdie Lane, S.W., Atlanta, Georgia, to be annexed into the City of Atlanta, effective immediately.

Total Acreage: 0.404 acres (17,600.00 sq. ft.)  
Land Lot: 61 (14F006100020090)  
District: 14F  
County: Fulton  
Owners: Charles A. & Yvonne K. Hammonds

Enclosed are a copy of a surveyor's map and a copy of the legal description of the property.

Sincerely,

  
Charles A. Hammonds

  
Yvonne K. Hammonds



A circular professional seal for a land surveyor in Georgia. The outer ring contains the text "GEORGIA" at the top and "LAND SURVEYOR" at the bottom, separated by two stars. The inner circle contains the word "REGISTERED" at the top, the number "No. 1679" in the center, and the name "A. E. VAUGHN" at the bottom.



Exhibit "C"

## WARRANTY DEED

STATE OF GEORGIA  
COUNTY OF DEKALB

GARY D. SIMPSON, P.C.  
ATTORNEY AT LAW  
2300 Henderson Mill Road, N.E.  
Decatur Federal Bldg., Suite 211  
Atlanta, Georgia 30345  
(404) 493-6777

THIS INDENTURE, made this 30th day of April in the  
year of our Lord One Thousand Nine Hundred and EIGHTY SEVEN between  
Dan L. Simpson

of the State of Georgia and County of Fulton, hereinafter  
referred to as GRANTOR, and  
Charles Abner Hammonds and Yvonne K. Hammonds

of the State of Georgia and County of Gwinnett, hereinafter  
referred to as GRANTEE,

WITNESSETH: That the said GRANTOR, for and in consideration of the sum of TEN AND OTHER  
GOOD AND VALUABLE CONSIDERATION-----(\$ 10.00--)DOLLARS

and other good and valuable consideration in hand paid, at and before the sealing and delivery of these presents, the receipt of which is hereby acknowledged, has granted, bargained, sold and conveyed, and by these presents does grant, bargain, sell and convey unto the said GRANTEE (the terms "GRANTOR" and "GRANTEE" include the respective heirs, successors and assigns of each where the context requires or permits), the following described real property, to wit:

All that tract or parcel of land lying and being in Land Lot 61, 14th District  
Fulton County, formerly Fayette County, Georgia, being Lot 9, Block A, Unit  
Four, Phase One, Putters Village Subdivision, as per plat recorded in Plat Book  
113, page 98, Fulton County Records, which plat is incorporated herein by  
reference for a more particular description.

Subject to easements and restrictions of record.

TO HAVE AND TO HOLD the said tract or parcel of land, with all and singular the rights, members and appurtenances  
thereof, to the same being, belonging, or in anywise appertaining to the only proper use, benefit and behoof of the said  
GRANTEE forever in FREE SIMPLE



Exhibit "D"

WARRANTY DEED

STATE OF GEORGIA

COUNTY OF DEKALB

GARY D. SIMPSON, P.C.  
ATTORNEY AT LAW  
2300 Henderson Mill Road, N.E.  
Decatur Federal Bldg., Suite 211  
Atlanta, Georgia 30345  
(404) 493-6777

THIS INDENTURE, made this 30th day of April in the  
year of our Lord One Thousand Nine Hundred and EIGHTY SEVEN between  
Dan L. Simpson

of the State of Georgia and County of Fulton, hereinafter  
referred to as GRANTOR, and  
Charles Abner Hammonds and Yvonne K. Hammonds

of the State of Georgia and County of Gwinnett, hereinafter  
referred to as GRANTEE,

WITNESSETH: That the said GRANTOR, for and in consideration of the sum of TEN AND OTHER  
GOOD AND VALUABLE CONSIDERATION-----(\$ 10.00) DOLLARS

and other good and valuable consideration in hand paid, at and before the sealing and delivery of these presents, the  
receipt of which is hereby acknowledged, has granted, bargained, sold and conveyed, and by these presents does grant,  
bargain, sell and convey unto the said GRANTEE (the terms "GRANTOR" and "GRANTEE" include the respective heirs,  
successors and assigns of each where the context requires or permits), the following described real property, to wit:

All that tract or parcel of land lying and being in Land Lot 61, 14th District  
Fulton County, formerly Fayette County, Georgia, being Lot 9, Block A, Unit  
Four, Phase One, Putters Village Subdivision, as per plat recorded in Plat Book  
113, page 98, Fulton County Records, which plat is incorporated herein by  
reference for a more particular description.

Subject to easements and restrictions of record.

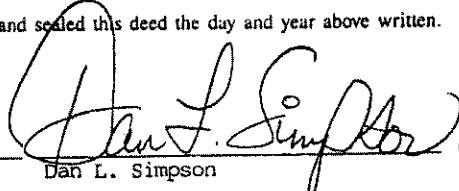
TO HAVE AND TO HOLD the said tract or parcel of land, with all and singular the rights, members and appurtenances  
thereof, to the same being, belonging, or in anywise appertaining to the only proper use, benefit and behoof of the said  
GRANTEE, forever, in FEE SIMPLE.

AND THE SAID GRANTOR will warrant and forever defend the right and title to the above described property, unto  
the said GRANTEE against the claims of all persons whomsoever.

IN WITNESS WHEREOF, GRANTOR has signed and sealed this deed the day and year above written.

Signed, sealed and delivered  
in the presence of:

UNOFFICIAL WITNESS

  
Dan L. Simpson

(SEAL)

  
NOTARY PUBLIC

(SEAL)

DeKalb



AN ORDINANCE

07-O-

BY: COUNCILMEMBER JAMES MADDOX

**AN ORDINANCE TO PROVIDE FOR THE ANNEXATION  
OF LAND KNOWN AS CASCADE FALLS SUBDIVISION  
TO THE CORPORATE LIMITS OF THE CITY OF  
ATLANTA; TO PROVIDE FOR THE NOTIFICATION OF  
THE DEPARTMENT OF COMMUNITY AFFAIRS; AND  
FOR OTHER PURPOSES.**

**WHEREAS**, owners of real property and resident electors in the Cascade Falls Subdivision have applied to the City of Atlanta for annexation of the subdivision, as more fully described in exhibit "A" attached hereto; and

**WHEREAS**, the City of Atlanta has determined that the property is contiguous to the existing corporate limits of the City of Atlanta, and that the applicants include the title holder of record of more than 60% of the privately-owned land within the property, as evidenced by the records of the Fulton County Superior Court and more than 60% of the electors resident of the property, as evidenced by the list of electors drawn from the records of the Fulton County Board of Registrations and Elections; and

**WHEREAS**, the City of Atlanta has lawfully provided notice to the Board of Commissioners and the County Manager of Fulton County of the City of Atlanta's receipt of the Application for annexation of the property; and

**WHEREAS**, the City of Atlanta has held a public hearing regarding the application and the Council's consideration thereof and has complied with all applicable laws, ordinances, and agreements with respect to the processing of such application; and

**WHEREAS**, the City of Atlanta has the authority pursuant to O.C.G.A. §36-36-1 *et seq.* to annex certain property into the corporate limits of the City of Atlanta, provided that the Mayor and Council of the City of Atlanta determine that the annexation of the property would be in the best interest of the City and the residents of the area to be annexed; and

**WHEREAS**, any annexation must be approved by the United States Department of Justice pursuant to Section 5 of the Voting Rights Act of 1965; and

**WHEREAS**, the City of Atlanta has determined that the Application meets the requirements of law pursuant to O.C.G.A. §36-36-1 *et seq.*

**THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA HEREBY  
ORDAINS, as follows:**



- Section 1. The Property is hereby annexed to the existing corporate limits of the City of Atlanta, Georgia, pending approval by the United States Department of Justice pursuant to Section 5 of the Voting Rights Act of 1965.
- Section.2. The Department of Law is hereby authorized and directed to submit to the United States Department of justice all necessary documentation required for the Department's review and approval of the annexation pursuant to Section 5 of the Voting Rights Act of 1965.
- Section 3. The Department of Law is hereby authorized and directed to file a report identifying property annexed with the Department of Community Affairs of the State of Georgia and with the governing authority of Fulton County as required by O.C.G.A. § 36-36-3, and to take all other actions required by law with regard to the adoption of this ordinance and the annexation of the Property.
- Section 4. This ordinance shall become effective immediately upon approval by the Mayor Unless otherwise specifically stated by law. Notwithstanding the foregoing Sentence, the effective date of this ordinance for school enrollment purposes of the Atlanta Public School System shall be July 1, 2007.
- Section 5. All Ordinances or parts of Ordinances in conflict with the terms of this Ordinance are hereby repealed; but it is hereby provided that any Ordinance or law, which may be applicable hereto and aid in carrying out the intent, purpose and provisions hereof, shall be liberally construed to be in favor of the City of Atlanta and is hereby adopted as a part hereof.







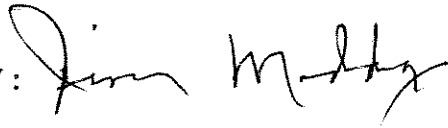
55 Trinity Ave #2700  
Atlanta, Ga 30303

Rhonda Dauphin Johnson  
MUNICIPAL CLERK, CMC



CITY COUNCIL  
ATLANTA, GEORGIA

AN ORDINANCE BY:



**AN ORDINANCE TO PROVIDE FOR THE ANNEXATION  
OF LAND KNOWN AS THE ORKNEY/LANARK DRIVE  
COMMUNITY TO THE CORPORATE LIMITS OF THE  
CITY OF ATLANTA; TO PROVIDE FOR THE  
NOTIFICATION OF THE DEPARTMENT OF  
COMMUNITY AFFAIRS; AND FOR OTHER PURPOSES.**

**WHEREAS**, owners of real property and resident electors in the Orkney/Lanark Drive Community have applied to the City of Atlanta for annexation of certain property located within the Orkney/Lanark (Property), as more fully described in exhibit "A" attached hereto; and

**WHEREAS**, the City of Atlanta has determined that the property is contiguous to the existing corporate limits of the City of Atlanta, and that the applicants include the title holder of record of more than 60% of the privately-owned land within the property, as evidenced by the records of the Fulton County Superior Court and more than 60% of the electors resident of the property, as evidenced by the list of electors drawn from the records of the Fulton County Board of Registrations and Elections; and

**WHEREAS**, the City of Atlanta has lawfully provided notice to the Board of Commissioners and the County Manager of Fulton County of the City of Atlanta's receipt of the Application for annexation of the property; and

**WHEREAS**, the City of Atlanta has held a public hearing regarding the application and the Council's consideration thereof and has complied with all applicable laws, ordinances, and agreements with respect to the processing of such application; and

**WHEREAS**, the City of Atlanta has the authority pursuant to O.C.G.A. §36-36-1 et. seq. to annex certain property into the corporate limits of the City of Atlanta, provided that the Mayor and Council of the City of Atlanta determine that the annexation of the property would be in the best interest of the City and the residents of the area to be annexed; and

**WHEREAS**, any annexation must be approved by the United States Department of Justice pursuant to Section 5 of the Voting Rights Act of 1965; and

**WHEREAS**, the City of Atlanta has determined that the Application meets the requirements of law pursuant to O.C.G.A. §36-36-1 et. seq.



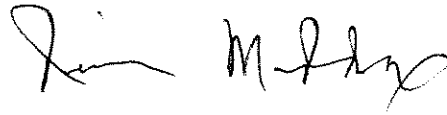
**THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA HEREBY ORDAINS, as follows:**

- Section 1.** That the Orkney/Lanark Drive Community (Property) is hereby annexed into the existing corporate limits of the City of Atlanta, Georgia.
- Section 2.** The Department of Law is hereby authorized and directed to submit to the United States Department of Justice (DOJ) all necessary documentation required for the DOJ's review and approval of the annexation pursuant to Section 5 of the Voting Rights Act of 1965.
- Section 3.** The Department of Law is hereby authorized to file a report identifying the property annexed with the Department of Community Affairs of the state of Georgia and with the governing authority of Fulton County and to take all other actions required by law with regard to the adoption of this ordinance and the annexation of the property.
- Section 4.** This ordinance shall become effective immediately upon approval by the Mayor unless otherwise specifically stated by law. Notwithstanding the foregoing sentence, the effective date of this ordinance for school enrollment purposes of the Atlanta Public School System shall be \_\_\_\_\_, 2007.
- Section 5.** All ordinances or parts of ordinances in conflict with the terms of this ordinance are hereby waived to the extent of the conflict.



CITY COUNCIL  
ATLANTA, GEORGIA

AN ORDINANCE BY :



**AN ORDINANCE TO PROVIDE FOR THE ANNEXATION OF LAND KNOWN AS THE HUNTINGTON COMMUNITY (POMPEY DRIVE/OLD FAIRBURN ROAD) TO THE CORPORATE LIMITS OF THE CITY OF ATLANTA; TO PROVIDE FOR THE NOTIFICATION OF THE DEPARTMENT OF COMMUNITY AFFAIRS; AND FOR OTHER PURPOSES.**

**WHEREAS**, owners of real property and resident electors in the Huntington Community have applied to the City of Atlanta for annexation of certain property located within the Pompey Drive/Old Fairburn Road (Property), as more fully described in exhibit "A" attached hereto; and

**WHEREAS**, the City of Atlanta has determined that the property is contiguous to the existing corporate limits of the City of Atlanta, and that the applicants include the title holder of record of more than 60% of the privately-owned land within the property, as evidenced by the records of the Fulton County Superior Court and more than 60% of the electors resident of the property, as evidenced by the list of electors drawn from the records of the Fulton County Board of Registrations and Elections; and

**WHEREAS**, the City of Atlanta has lawfully provided notice to the Board of Commissioners and the County Manager of Fulton County of the City of Atlanta's receipt of the Application for annexation of the property; and

**WHEREAS**, the City of Atlanta has held a public hearing regarding the application and the Council's consideration thereof and has complied with all applicable laws, ordinances, and agreements with respect to the processing of such application; and

**WHEREAS**, the City of Atlanta has the authority pursuant to O.C.G.A. §36-36-1 et. seq. to annex certain property into the corporate limits of the City of Atlanta, provided that the Mayor and Council of the City of Atlanta determine that the annexation of the property would be in the best interest of the City and the residents of the area to be annexed; and

**WHEREAS**, any annexation must be approved by the United States Department of Justice pursuant to Section 5 of the Voting Rights Act of 1965; and

**WHEREAS**, the City of Atlanta has determined that the Application meets the requirements of law pursuant to O.C.G.A. §36-36-1 et. seq.



**THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA HEREBY ORDAINS, as follows:**

- Section 1.** That the Huntington Community (Pompey Drive/Old Fairburn Road) (Property) is hereby annexed into the existing corporate limits of the City of Atlanta, Georgia.
- Section 2.** The Department of Law is hereby authorized and directed to submit to the United States Department of Justice (DOJ) all necessary documentation required for the DOJ's review and approval of the annexation pursuant to Section 5 of the Voting Rights Act of 1965.
- Section 3.** The Department of Law is hereby authorized to file a report identifying the property annexed with the Department of Community Affairs of the state of Georgia and with the governing authority of Fulton County and to take all other actions required by law with regard to the adoption of this ordinance and the annexation of the property.
- Section 4.** This ordinance shall become effective immediately upon approval by the Mayor unless otherwise specifically stated by law. Notwithstanding the foregoing sentence, the effective date of this ordinance for school enrollment purposes of the Atlanta Public School System shall be \_\_\_\_\_, 2007.
- Section 5.** All ordinances or parts of ordinances in conflict with the terms of this ordinance are hereby waived to the extent of the conflict.



AN ORDINANCE BY

07-O-0974

COUNCILMEMBER C. T.MARTIN

AS SUBSTITUTED BY FINANCE/EXECUTIVE COMMITTEE

TO AMEND ARTICLE V, CLASSIFICATION PLAN, OF  
THE CODE OF ORDINANCES, CITY OF ATLANTA,  
GEORGIA, SO AS TO CREATE TWO HUNDRED  
FIFTEEN (215) POSITIONS IN THE ATLANTA POLICE  
DEPARTMENT; AND FOR OTHER PURPOSES.

NOW, THEREFORE, IT IS HEREBY ORDAINED BY THE COUNCIL OF THE CITY OF  
ATLANTA, GEORGIA: that Article V, Classification Plan of the Code of Ordinances, City of Atlanta,  
Georgia, be and the same is hereby amended as follows:

**SECTION 1:** POSITION CREATIONS UNCLASSIFIED: That the following positions be and  
the same are hereby created in the Unclassified Service in the Atlanta Police Department

ACCOUNT	NO.	CLASS	PAY	ANNUAL	
<u>NUMBER</u>	<u>POS.</u>	<u>CLASSIFICATION TITLE</u>	<u>CODE</u>	<u>GRADE</u>	<u>SALARY</u>
1AO1 511001	100	Police Officer (E)(F)(O)(B)(S)	413009	P-2	\$38,556.00-
X*****					\$56,291.00
1AO1 511001	100	Police Investigator (E)(F)(O)(B)(S)	413058	P-3	\$43,280.00-
X*****					\$63,187.00
1AO1 511001	15	Crime Prevention Insp. (D)	413082	10	\$27,839.00-
X*****					\$40,645.00

**SECTION 2:** That all ordinances and parts of ordinances in conflict herewith be and the same are hereby  
waived.



**07-0 -0974**

**AN ORDINANCE BY//**

**COUNCILMEMBER C. T.MARTIN**

**TO AMEND ARTICLE V CLASSIFICATION PLAN,  
SECTION 114-477, OF THE CODE OF ORDINANCES,  
CITY OF ATLANTA, GEORGIA, SO AS TO CREATE  
TWO HUNDRED FIFTEEN (215) POSITIONS IN THE  
ATLANTA POLICE DEPARTMENT; AND FOR OTHER  
PURPOSES.**

**NOW, THEREFORE, IT IS HEREBY ORDAINED BY THE COUNCIL OF THE CITY OF  
ATLANTA, GEORGIA:** that Section 114-477, of the Code of Ordinances, City of Atlanta, Georgia, be  
and the same is hereby amended as follows:

**SECTION 1: POSITION CREATIONS UNCLASSIFIED:** That the following positions be and  
the same are hereby created in the Unclassified Service in the Atlanta Police Department

<b>ACCOUNT</b>	<b>NO.</b>	<b>CLASS</b>	<b>PAY</b>	<b>ANNUAL</b>	
<b><u>NUMBER</u></b>	<b><u>POS.</u></b>	<b><u>CLASSIFICATION TITLE</u></b>	<b><u>CODE</u></b>	<b><u>GRADE</u></b>	<b><u>SALARY</u></b>
1AO1 511001	100	Police Officer (E)(F)(O)(B)(S)	413009	P-2	\$38,556.00
X*****					\$56,291.00
1AO1 511001	100	Police Investigator (E)(F)(O)(B)(S)	413058	P-3	\$43,280.00
X*****					\$63,187.00
1AO1 511001	15	Crime Prevention Insp. (D)	413082	10	\$27,839.00
X*****					\$40,645.00



**A RESOLUTION  
BY FINANCE/ EXECUTIVE COMMITTEE**

**07-*ℓ*-1086**

**A RESOLUTION AUTHORIZING THE MAYOR OR HER DESIGNEE TO ENTER INTO A COOPERATIVE PURCHASING AGREEMENT PURSUANT TO CHAPTER 2, ARTICLE X, DIVISION 15, SECTION 2-1601 ET. SEQ., OF THE CITY OF ATLANTA CODE OF ORDINANCES, UTILIZING STATE OF GEORGIA CONTRACT # SWC50755 WITH BANK OF AMERICA, N.A., ON BEHALF OF THE DEPARTMENT OF FINANCE, FOR THE USE OF BANK OF AMERICA VISA PURCHASING CARDS AND ASSOCIATED SERVICES; AND FOR OTHER PURPOSES.**

**WHEREAS**, the Department of Finance desires to enter into a Cooperative Purchasing Agreement for the use of purchasing cards and associated services; and

**WHEREAS**, the Agreement is for a period of three (3) years; and

**WHEREAS**, pursuant to Chapter 2, Article X, Division 15, Section 2-1606 of the City of Atlanta Code of Ordinances, the Chief Procurement Officer may procure supplies, services or construction items through contracts established by the Purchasing Division of the State where such contracts and contractors substantially meet the requirements of this Article; and

**WHEREAS**, the Chief Financial Officer and the Chief Procurement Officer recommend utilizing the State of Georgia Contract # SWC50755 with Bank of America, N.A. for the use of Bank of America Visa Purchasing Cards and associated services.

**THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA HEREBY RESOLVES**, that the Mayor or her Designee is authorized to enter into a cooperative purchasing agreement with Bank of America, N.A., utilizing the State of Georgia Contract # SWC50755, on behalf of the Department of Finance, for the use of Bank of America Visa Purchasing Cards and associated services.

**BE IT FURTHER RESOLVED**, that this Agreement is at no cost to the City of Atlanta.

**BE IT FURTHER RESOLVED**, that this contract shall be for a period of three (3) years.

**BE IT FURTHER RESOLVED**, that the Chief Procurement Officer is directed to prepare the appropriate Agreement for execution by the Mayor.

**BE IT FINALLY RESOLVED**, that the Agreement will not become binding upon the City and the City will incur no obligation or liability under it until it has been approved by the City Attorney as to form, executed by the Mayor, attested to by the Municipal Clerk, and delivered to the contracting parties.



**Part II: Legislative White Paper:**

**A. To be completed by Legislative Counsel:**

**Committee of Purview:** Finance/Executive

**Caption:** A RESOLUTION AUTHORIZING THE MAYOR OR HER DESIGNEE TO ENTER INTO A COOPERATIVE PURCHASING AGREEMENT PURSUANT TO CHAPTER 2, ARTICLE X, DIVISION 15, SECTION 2-1601 ET. SEQ., OF THE CITY OF ATLANTA CODE OF ORDINANCES, UTILIZING STATE OF GEORGIA CONTRACT # SWC50755 WITH BANK OF AMERICA, N.A., ON BEHALF OF THE DEPARTMENT OF FINANCE, FOR THE USE OF BANK OF AMERICA VISA PURCHASING CARDS AND ASSOCIATED SERVICES; AND FOR OTHER PURPOSES.

**Council Meeting Date:** June 4, 2007

**Requesting Dept.:** Department of Finance

**B. To be completed by the department:**

**1. Please provide a summary of the purpose of this legislation (Justification Statement).**

This legislation is to authorize the Chief Procurement Officer to utilize a State Contract to allow the Department of Finance the ability to acquire credit cards for purchases made by the Department.

**2. Please provide background information regarding this legislation.**

The State of Georgia Department of Administrative Services has a contract with Bank of America to provide credit cards to authorized users under the Agreement. and the Department of Finance wishes to utilize this Agreement. The Department of Finance will provide oversight and monitoring of the use and authorization of all credit cards dispersed to authorized users under its new credit card policy.

**3. If Applicable/Known:**

**(a) Contract Type (e.g. Professional Services, Construction Agreement, etc. Professional Services**

**(b) Source Selection:** State of Georgia Department of Administrative Services Contract SWC50755 (Credit Card Services)

**(c) Bids/Proposals Due:** N/A



- (d)     **Invitations Issued:** N/A
- (e)     **Number of Bids:** N/A
- (f)     **Proposals Received:** N/A
- (g)     **Bidders/Proponents:** N/A
- (h)     **Term of Contract:** Three (3) years

**4. Fund Account Center (*Ex. Name and number*):**

**5. Source of Funds:**

**6. Fiscal Impact:**

**7. Method of Cost Recovery:** Monthly payments of outstanding balances will be handled by the Department of Finance's Quality Control Committee.

**This Legislative Request Form Was Prepared By:** Dana Boone



**DEPARTMENT OF PROCUREMENT  
LEGISLATION SUMMARY**

**Committee of Purview:** Finance/Executive Committee

**Caption:**

**Council Meeting Date:** June 4, 2007

**Caption:** A RESOLUTION AUTHORIZING THE MAYOR OR HER DESIGNEE TO ENTER INTO A COOPERATIVE PURCHASING AGREEMENT PURSUANT TO CHAPTER 2, ARTICLE X, DIVISION 15, SECTION 2-1601 ET. SEQ., OF THE CITY OF ATLANTA CODE OF ORDINANCES, UTILIZING STATE OF GEORGIA CONTRACT # SWC50755 WITH BANK OF AMERICA, N.A., ON BEHALF OF THE DEPARTMENT OF FINANCE, FOR THE USE OF BANK OF AMERICA VISA PURCHASING CARDS AND ASSOCIATED SERVICES; AND FOR OTHER PURPOSES.

**Requesting Department:** Department of Finance

**Contract Type:** N/A

**Source Selection:** State of Georgia Department of Administrative Services Contract SWC50755

**Bids/Proposals Due:** N/A

**Invitations Issued:** N/A

**Number of Bids/  
Proposals Received:** N/A

**Bidders/Proponents:** N/A

**Justification Statement:** N/A

**Background:** N/A

**Fund Account Center:** N/A

**Source of Funds:** N/A



**Fiscal Impact:**

N/A

**Term of Contract:**

Three (3) years

**Method of Cost Recovery:**

Monthly payments of outstanding balances will be handled by the Department of Finance's Quality Control Committee.

**Approval:**

**DOF: YES**

**DOL: YES**

**Prepared By:**

Elsa D. Castro

**Contact Number:**

404.330.6426



TRANSMITTAL FORM FOR LEGISLATION

TO: MAYOR'S OFFICE

ATTN: GREG PRIDGEON

Legislative Counsel (Signature): Simone D. Brathwaite SD Brathwaite

Contact Number: x 6310

Originating Department: Department of Finance

Committee(s) of Purview: Finance/ Executive Committee

Council Deadline: May 14, 2007

Committee Meeting Date(s): May 29-30, 2007 Full Council Date: June 4, 2007.

Commissioner Signature James N. Davis JN Davis

Chief Procurement Officer Adam J. Smith AS Smith

**CAPTION**

A RESOLUTION AUTHORIZING THE MAYOR OR HER DESIGNEE TO ENTER INTO A COOPERATIVE PURCHASING AGREEMENT PURSUANT TO CHAPTER 2, ARTICLE X, DIVISION 15, SECTION 2-1601 ET. SEQ., OF THE CITY OF ATLANTA CODE OF ORDINANCES, UTILIZING STATE OF GEORGIA CONTRACT # SWC50755 WITH BANK OF AMERICA, N.A., ON BEHALF OF THE DEPARTMENT OF FINANCE, FOR THE USE OF BANK OF AMERICA VISA PURCHASING CARDS AND ASSOCIATED SERVICES; AND FOR OTHER PURPOSES.

**FINANCIAL IMPACT:**

Mayor's Staff Only

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Received by CPO: \_\_\_\_\_ Received by LC from CPO: \_\_\_\_\_  
(date) (date)

Received by Mayor's Office: 5.16.07 QD Reviewed by: [Signature]  
(date) (date)

Submitted to Council: 5/21/07  
(date)



**A SUBSITUTE ORDINANCE  
BY FINANCE/EXECUTIVE COMMITTEE**

**07-O-1087**

**AN ORDINANCE AUTHORIZING THE CHIEF FINANCIAL OFFICER TO ALLOW THE CITY TO IMPOSE A VERIFICATION/CONVENIENCE FEE IN THE AMOUNT OF FOUR DOLLARS AND FIFTY CENTS (\$4.50) ON CREDIT CARDS USERS, ON-LINE PAYMENT USERS, ELECTRONIC CHECK USERS, OR INTERACTIVE VOICE RESPONSE USERS SUBMITTING PAYMENTS FOR FEES AND/OR FINES IMPOSED BY THE CITY OF ATLANTA SUCH AS THOSE ASSOCIATED WITH TRAFFIC ENFORCEMENT AND WATER AND WASTEWATER CITY SERVICES; TO RECOVER THE COST THE CITY PAYS TO THIRD-PARTY VENDORS TO PROCESS SUCH PAYMENTS; ALL COLLECTED FUNDS WILL BE DEPOSITED INTO VARIOUS FUND ACCOUNT AND CENTER NUMBERS; AND FOR OTHER PURPOSES.**

**WHEREAS**, the City of Atlanta ("City") has provided persons seeking to pay fines or fees imposed by the City with the convenience of making payments utilizing electronic checks, debit or credit cards; and

**WHEREAS**, the City contracts with third-party vendors to validate electronic checks using the Automated Clearing House (ACH) system and other verification systems; and

**WHEREAS**, the City contracts with third-party vendors to utilize the convenient Interactive Voice Response (IVR) system and to provide confirmation of the validity of debit or credit card information provided by customers in processing payments; and

**WHEREAS**, the City has established a robust on-line payment program consisting of on-line payment services for parking tickets, water and wastewater charges, permit fees, excise taxes, and business licenses; and

**WHEREAS**, the City seeks to recover the cost of verifying, validating, and authorizing IVR payments, customer electronic checks, debit or credit cards payments; and

**WHEREAS**, pursuant to Section 2-105(a) of the City of Atlanta Code of Ordinances, the City Council shall not adopt an ordinance or resolution to establish a fee or increase the amount of an existing fee, until notice of the pending legislation is published in a newspaper of general circulation, and the appropriate standing committee of the City Council holds at least one public hearing regarding said legislation; and

**WHEREAS**, Visa does not allow a percentage based convenience fee for parking, water and wastewater, and permit fees but does allow a flat rate of \$4.50; and

**WHEREAS**, the City currently incurs costs by paying the associated convenience fees to third-party vendors.



**THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA, HEREBY ORDAINS, as follows;**

**SECTION 1:**

That the Chief Financial Officer is authorized to impose a verification/convenience fee in the amount of Four Dollars And Fifty Cents (\$4.50) on Credit Cards Users, On-Line Payment Users, Electronic Check Users, or Interactive Voice Response Users submitting payments for fines or fees imposed by the City to recover the cost the city pays to third-party vendors to process such payments.

**SECTION 2:**

That the verification/convenience fee imposed shall be used to pay third-party vendors to validate electronic checks, credit cards and debit card payments using the Automated Clearing House (ACH) system, the Interactive Voice Response (IVR) system, and other convenience and/or verification systems to provide confirmation of the validity of the electronic check, debit or credit card information provided by customers.

**SECTION 3:**

That such funds shall be deposited to various fund account and center numbers designated for the deposit of the fee or fine imposed by the City.

**SECTION 4:** That all ordinances and parts of ordinance in conflict herewith are hereby waived to the extent of the conflict.



RCS# 1371  
8/20/07  
4:41 PM

Atlanta City Council

REGULAR SESSION

07-O-1087

AUTH.CFO TO ALLOW CITY TO IMPOSE \$4.50  
FEE ON CREDIT CARD USERS, ONLINE PAYERS  
REFER/FINANCE

YEAS: 12  
NAYS: 0  
ABSTENTIONS: 0  
NOT VOTING: 2  
EXCUSED: 2  
ABSENT 0

Y Smith	E Archibong	Y Moore	Y Mitchell
Y Hall	E Fauver	Y Martin	NV Norwood
Y Young	Y Shook	Y Maddox	Y Willis
Y Winslow	Y Muller	Y Sheperd	NV Borders

07-O-1087



CONDITION FOR APPROVAL FORM  
(TO ACCOMPANY LEGISLATION)

COMMITTEE: Finance / Economic

DATE: 8/1/7

ORDINANCE # 07-0-1087 RESOLUTION # \_\_\_\_\_

REQUESTED BY: Committee

DIRECTED TO: Administration

NATURE OF CONDITION FOR APPROVAL:

Advertise change on Channel 26, Send to NPU + AAB  
and do all things necessary to educate the public  
of the fee change and when the fee will be charged

WHEN IS THIS INFORMATION DUE, AND TO WHOM?

Prior to the 8/20/7 Full Council meeting to, All  
Council members

WILL THIS RESULT IN AN AMENDMENT TO THE LEGISLATION?

YES ( ) NO ( )

WILL THIS RESULT IN A SUBSTITUTE TO THE LEGISLATION?

YES ( ) NO ( )

HAS THIS INFORMATION BEEN RECEIVED? YES ( ) NO (X)

DATE OF RECEIPT: \_\_\_\_\_



**A SUBSITUTE ORDINANCE  
BY FINANCE/EXECUTIVE COMMITTEE**

**07-O-1087**

**AN ORDINANCE AUTHORIZING THE CHIEF FINANCIAL OFFICER TO ALLOW THE CITY TO IMPOSE A VERIFICATION/CONVENIENCE FEE IN THE AMOUNT OF FOUR DOLLARS AND FIFTY CENTS (\$4.50) ON CREDIT CARDS USERS, ON-LINE PAYMENT USERS, ELECTRONIC CHECK USERS, OR INTERACTIVE VOICE RESPONSE USERS SUBMITTING PAYMENTS FOR FEES AND/OR FINES IMPOSED BY THE CITY OF ATLANTA SUCH AS THOSE ASSOCIATED WITH TRAFFIC ENFORCEMENT AND WATER AND WASTEWATER CITY SERVICES; TO RECOVER THE COST THE CITY PAYS TO THIRD-PARTY VENDORS TO PROCESS SUCH PAYMENTS; ALL COLLECTED FUNDS WILL BE DEPOSITED INTO VARIOUS FUND ACCOUNT AND CENTERS.**

**WHEREAS**, the City of Atlanta ("City") has provided persons seeking to pay fines or fees imposed by the City with the convenience of making payments utilizing electronic checks, debit or credit cards; and

**WHEREAS**, the City contracts with third-party vendors to validate electronic checks using the Automated Clearing House (ACH) system and other verification systems; and

**WHEREAS**, the City contracts with third-party vendors to utilize the convenient Interactive Voice Response (IVR) system and to provide confirmation of the validity of debit or credit card information provided by customers in processing payments; and

**WHEREAS**, the City has established a robust on-line payment program consisting of on-line payment services for parking tickets, water and wastewater charges, permit fees, excise taxes, and business licenses; and

**WHEREAS**, the City seeks to recover the cost of verifying, validating, and authorizing IVR payments, customer electronic checks, debit or credit cards payments; and

**WHEREAS**, pursuant to Section 2-105(a) of the City of Atlanta Code of Ordinances, the City Council shall not adopt an ordinance or resolution to establish a fee or increase the amount of an existing fee, until notice of the pending legislation is published in a newspaper of general circulation, and the appropriate standing committee of the City Council holds at least one public hearing regarding said legislation; and

**WHEREAS**, Visa does not allow a percentage based convenience fee for parking, water and wastewater, and permit fees but does allow a flat rate of \$4.50; and

**WHEREAS**, the City currently incurs costs by paying the associated convenience fees to third-party vendors.



**THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA, HEREBY ORDAINS, as follows;**

**SECTION 1:**

That the Chief Financial Officer is authorized to impose a verification/convenience fee in the amount of Four Dollars And Fifty Cents (\$4.50) on Credit Cards Users, On-Line Payment Users, Electronic Check Users, or Interactive Voice Response Users submitting payments for fines or fees imposed by the City to recover the cost the city pays to third-party vendors to process such payments.

**SECTION 2:**

That the verification/convenience fee imposed shall be used to pay third-party vendors to validate electronic checks, credit cards and debit card payments using the Automated Clearing House (ACH) system, the Interactive Voice Response (IVR) system, and other convenience and/or verification systems to provide confirmation of the validity of the electronic check, debit or credit card information provided by customers.

**SECTION 3:**

That such funds shall be deposited to various fund account and center numbers designated for the deposit of the fee or fine imposed by the City.

**SECTION 4:** That all ordinances and parts of ordinance in conflict herewith are hereby waived to the extent of the conflict.



**CITY COUNCIL  
ATLANTA, GEORGIA**

**AN ORDINANCE BY  
FINANCE/EXECUTIVE COMMITTEE**

**07- 0 -1087**

**AN ORDINANCE AUTHORIZING THE CHIEF FINANCIAL OFFICER TO ALLOW THE CITY TO IMPOSE A CONVENIENCE FEE IN THE AMOUNT OF FOUR DOLLARS AND FIFTY CENTS (\$4.50) ON CREDIT CARDS USERS, ON-LINE PAYMENT USERS, ELECTRONIC CHECK USERS, SUBMITTING PAYMENTS FOR WATER AND WASTEWATER CITY SERVICES, TO RECOVER THE COST THE CITY PAYS TO THIRD-PARTY VENDORS TO PROCESS SUCH PAYMENTS; ALL COLLECTED FUNDS WILL BE DEPOSITED INTO FUND ACCOUNT AND CENTER NUMBER 2J01 (WATER AND WASTEWATER REVENUE FUND) 641307 (CREDIT CARD) B00001 (CONVENIENCE FEE); AND FOR OTHER PURPOSES.**

**WHEREAS, the City of Atlanta ("City") provides its customers with the convenience of making payments utilizing electronic checks, debit or credit cards; and**

**WHEREAS, the City contracts with third-party vendors to validate electronic checks using the Automated Clearing House (ACH) system and other verification systems; and**

**WHEREAS, the City contracts with third-party vendors to utilize the Interactive Voice Response (IVR) system and to provide confirmation of the validity of debit or credit card information provided by customers in processing payments; and**

**WHEREAS, the City has established a robust on-line payment program consisting of on-line payment services for parking tickets, water and wastewater charges, permit fees, excise taxes, and business licenses; and**

**WHEREAS, the City seeks to recover the cost of verifying, validating, and authorizing customer electronic checks, debit or credit cards payments; and**

**WHEREAS, pursuant to Section 2-105 (a) of the City of Atlanta Code of Ordinances, the City Council shall not adopt an ordinance or resolution to establish a fee or increase the amount of an existing fee, until notice of the pending legislation is published in a newspaper of general circulation, and the appropriate standing committee of the City Council holds at least one public hearing regarding said legislation; and**

**WHEREAS, Visa does not allow a percentage based convenience fee for parking, water and wastewater, and permit fees but does allow a flat rate of \$4.50; and**

**WHEREAS, the City currently incurs costs by paying the associated convenience fees to third-party vendors.**

**THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA, HEREBY ORDAINS, as follows;**



**SECTION 1:**

That the Chief Financial Officer is authorized impose a convenience fee in the amount of Four Dollars And Fifty Cents (\$4.50) on Credit Cards Users, On-Line Payment Users, Electronic Check Users, submitting payments for water and wastewater city services to recover the cost the city pays to third-party vendors to process such payments.

**SECTION 2:**

That the fee imposed shall be used to pay third-party vendors to validate electronic checks, credit cards and debit card payments using the Automated Clearing House (ACH) system, the Interactive Voice Response (IVR) system, and other verification systems to provide confirmation of the validity of the electronic check, debit or credit card information provided by customers.

**SECTION 2:**

That such funds shall be deposited in the Fund Account and Center Number used to pay the costs associated with the acceptance of IVR payments, namely, 2J01 (Water and Wastewater) 641307 (Credit Card) B00001 (Convenience Fee).

**SECTION 3:** That all ordinances and parts of ordinance in conflict herewith are hereby waived to the extent of the conflict.



RCS# 1202  
6/04/07  
3:01 PM

Atlanta City Council

REGULAR SESSION

CONSENT II

REFER

YEAS: 11  
NAYS: 0  
ABSTENTIONS: 0  
NOT VOTING: 2  
EXCUSED: 1  
ABSENT 2

Y Smith	B Archibong	Y Moore	Y Mitchell
NV Hall	Y Fauver	Y Martin	Y Norwood
Y Young	Y Shook	B Maddox	E Willis
Y Winslow	Y Muller	Y Sheperd	NV Borders

CONSENT II



**Part II: Legislative White Paper:**

**A. To be completed by Legislative Counsel:**

**Committee of Purview: Finance/Executive**

**Caption:**

**AN ORDINANCE BY  
FINANCE/EXECUTIVE COMMITTEE**

**AN ORDINANCE AUTHORIZING THE CHIEF FINANCIAL OFFICER TO ASSESS INTERACTIVE VOICE RESPONSE USERS, IN MAKING PAYMENTS FOR WATER AND WASTEWATER CITY SERVICES, A CONVENIENCE FEE IN THE AMOUNT OF FOUR DOLLARS AND FIFTY CENTS (\$4.50) TO RECOVER THE COST THE CITY PAYS TO THIRD-PARTY VENDORS TO PROCESS SUCH PAYMENTS; COLLECTED FUNDS WILL BE DEPOSITED INTO FUND ACCOUNT AND CENTER NUMBER 2J01 (WATER AND WASTEWATER REVENUE FUND) 641307 (CREDIT CARD) B00001 (CONVENIENCE FEE); AND FOR OTHER PURPOSES.**

**Council Meeting Date: May 21, 2007**

**Requesting Dept.: Department of Watershed Management**

**B. To be completed by the department:**

**1. Please provide a summary of the purpose of this legislation (Justification Statement).**

The purpose of this legislation is to recover the cost the city pays to the third-party vendor to process Credit card payment On IVR payment users convenience fee in the amount of four dollars and fifty cents (4.50) for payment of associated user fee and convince fee.

**2. Please provide background information regarding this legislation.**

On 2/19/07, the City Council passed legislation and the Mayor approved on 2/27/07; to implement a convenience fee for Online Customers that make payments via Credit Card. As per the legislation, a flat rate of \$4.50 is to be applied for each online credit card transaction that is fee based i.e. water fee, permit fee, parking fee.



**3. If Applicable/Known:**

- (a) Contract Type (e.g. Professional Services, Construction Agreement, etc):
- (b) Source Selection:
- (c) Bids/Proposals Due:
- (d) Invitations Issued:
- (e) Number of Bids:
- (f) Proposals Received:
- (g) Bidders/Proponents:
- (h) Term of Contract:

**4. Fund Account Center:** 2J01 (Water and Wastewater) 641307 (Credit Card) B00001 (Convenience Fee)

**Fund:** \_\_\_\_\_ **Account:** \_\_\_\_\_ **Center:** \_\_\_\_\_

**5. Source of Funds:**

**6. Fiscal Impact:** The flat rate of \$4.50 will be applied for each online credit card transaction for IVR payment users to FAC 2J01 (Water and Wastewater) 641307 (Credit Card) B00001 (Convenience Fee),

**7. Method of Cost Recovery:**

**This Legislative Request Form Was Prepared By:** Elizabeth D' Agostino



TRANSMITTAL FORM FOR LEGISLATION

TO: MAYOR'S OFFICE

ATTN: GREG PRIDGEON

Legislative Counsel (Signature): M. Theresa Stewart

Contact Number: x6207

Originating Department: Department of Watershed Management

Committee(s) of Purview: Finance/Executive

Council Deadline: May 21, 2007

Anticipated Committee Meeting Date(s): May 29, 2007

Anticipated Full Council Date: Monday, June 4, 2007

Commissioner Signature

Robert J. Hunter scP

Chief Procurement Officer Signature

CAPTION

AN ORDINANCE AUTHORIZING THE CHIEF FINANCIAL OFFICER TO ALLOW THE CITY TO IMPOSE A CONVENIENCE FEE IN THE AMOUNT OF FOUR DOLLARS AND FIFTY CENTS (\$4.50) ON CREDIT CARDS USERS, ON-LINE PAYMENT USERS, ELECTRONIC CHECK USERS, SUBMITTING PAYMENTS FOR WATER AND WASTEWATER CITY SERVICES, TO RECOVER THE COST THE CITY PAYS TO THIRD-PARTY VENDORS TO PROCESS SUCH PAYMENTS; ALL COLLECTED FUNDS WILL BE DEPOSITED INTO FUND ACCOUNT AND CENTER NUMBER 2J01 (WATER AND WASTEWATER REVENUE FUND) 641307 (CREDIT CARD) B00001 (CONVENIENCE FEE); AND FOR OTHER PURPOSES.

FINANCIAL IMPACT (if any):

Mayor's Staff Only

Received by CPO:

(date)

Received by LC from CPO:

(date)

Received by Mayor's Office:

(date)

Reviewed by:

(date)

Submitted to Council:

(date)



**A RESOLUTION  
BY COUNCILMEMBER JOYCE M. SHEPERD**

*Joyce M. Sheperd*

**07-R-1904**

**A RESOLUTION BY COUNCILMEMBER JOYCE M. SHEPERD THAT ENCOURAGES MEMBERS OF THE UNITED STATES CONGRESS TO SUPPORT THE EMPLOYEE FREE CHOICE ACT WHICH AUTHORIZES THE NATIONAL LABOR RELATIONS BOARD TO CERTIFY A UNION AS THE BARGAINING REPRESENTATIVE WHEN A MAJORITY OF EMPLOYEES VOLUNTARILY SIGN AUTHORIZATIONS DESIGNATING THAT UNION TO REPRESENT THEM.**

**WHEREAS**, in 1935, the United States established, by law, that workers must be free to form unions; and

**WHEREAS**, the freedom to form or join a union is internationally recognized by the 1948 Universal Declaration of Human Rights as a fundamental human right; and

**WHEREAS**, the free choice to join with others and bargain for better wages and benefits is essential to economic opportunity and good living standards; and

**WHEREAS**, unions benefit communities by strengthening living standards, stabilizing tax bases, promoting equal treatment and enhancing civic participation; and

**WHEREAS**, states in which more people are union members are states with higher wages, better benefits and better schools; and

**WHEREAS**, union workers receive better wages and benefits, with union workers earning 29 percent more than workers without a union, 35 percent more likely to have access to health insurance, and are four times more likely to have access to a guaranteed defined benefit pension; and

**WHEREAS**, unions help raise workers' pay and narrow the income gap for minorities and women, by increasing median weekly earnings by 31 percent for union women workers, 31 percent for African-American workers, 50 percent for Latino workers, 9 percent for Asian American workers; and

**WHEREAS**, workers across the nation are routinely denied the freedom to form unions and bargain for a better life, with 25 percent of private-sector employers illegally firing at least one worker for union activity during organizing campaigns; and

**WHEREAS**, 77 percent of the public believes it is important to have strong laws protecting the freedom for workers to make their own decision about having a union, and 58 percent of workers would join a union if they had the chance; and



**WHEREAS**, employers often refuse to bargain fairly with workers after forming a union by dragging out first contract bargaining for up to two years in 45 percent of successful campaigns; and

**WHEREAS**, each year millions of dollars are spent to frustrate workers' efforts to form unions, and most violations of workers' freedom to choose a union occur behind closed doors, with 78 percent of employers forcing employees to attend mandatory anti-union meetings; and

**WHEREAS**, when the right of workers to form a union is violated, wages fall, race and gender pay gaps widen, workplace discrimination increases and job safety standards disappear; and

**WHEREAS**, a worker's fundamental right to choose a union free from coercion and intimidation is a public issue that requires public policy solutions, including legislative remedies; and

**WHEREAS**, the Employee Free Choice Act has been introduced in the U.S. Congress in order to restore workers' freedom to join a union;

**WHEREAS**, The Employee Free Choice Act will safeguard workers' ability to make their own decisions with these abuses, provide for first contract mediation and arbitration, and establish meaningful penalties when employers violate workers' rights.

**THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA, HEREBY RESOLVES**, that the Council of the City of Atlanta encourage our United State Congress to support the Employee Free Choice Act which would authorize the National Labor Relations Board to certify a union as the bargaining representative when a majority of employees voluntarily sign authorizations designating that union to represent them; provide for first contract mediation and arbitration; and establish meaningful penalties for violations of a worker's freedom to choose a union.

**BE IT FURTHER RESOLVED**, that we urge Congress to pass the Employee Free Choice Act to protect and preserve for America's workers their freedom to choose for themselves whether or not to form a union.

**BE IT FINALLY RESOLVED**, The Municipal Clerk is directed to send a copy of this Resolution to all members of the Georgia United State Congressional Delegation.



**A RESOLUTION****BY: COUNCILMEMBER CEASAR C. MITCHELL****A RESOLUTION TO SUPPORT H.R. 2447 TO ESTABLISH AN ENERGY AND ENVIRONMENT BLOCK GRANT PROGRAM THAT IS PRESENTLY BEFORE THE UNITED STATES CONGRESS; AND FOR OTHER PURPOSES.**

**WHEREAS**, global warming is becoming one of the most serious challenges facing the world today; and

**WHEREAS**, global warming causes toxic pollution, worldwide sea level rise, increased strength of hurricanes, changes in agricultural yields, species extinction, glacier retreat, and an increase in the incidences of infectious diseases; and

**WHEREAS**, certain human behavior and activity contribute to the emission of greenhouse gases, which, in turn, cause global climate change; and

**WHEREAS**, global climate change poses a serious threat to the delicate marine ecosystems and the natural environment; and

**WHEREAS**, nations, states, corporations and individuals must take actions now to reduce emissions of heat-trapping gases in order to protect the environment, health and economic well-being of current and future generations; and

**WHEREAS**, these actions call for a greater reliance on alternate, cleaner and renewable energy sources; and

**WHEREAS**, Congressmen Albert R. Wynn of Maryland introduced an energy bill (H.R. 2447) on May 23, 2007, to assist cities, counties and states in their energy efficiency efforts to reduce emissions of greenhouse gases and global warming; and

**WHEREAS**, the bill is called the "Energy and Environment Block Grant Act of 2007", which would establish a new block grant program, modeled on the Community Development Block Grant (CDBG) program, to provide funds for local energy initiatives, including "green" building projects, building and home energy conservation programs, alternative fuels, and "Smart Growth" planning and zoning; and

**WHEREAS**, the U. S. Conference of Mayors, based in Washington DC, has endorsed the program and has been lobbying for the measure, which authorizes \$4 billion for fiscal year 2008; and

**NOW THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA**, as follows:



**SECTION 1:** That the Atlanta City Council endorses H.R 2447 “Energy and Environment Block Grant Act of 2007” that is presently before the United States Congress.

**SECTION 2:** That the Atlanta City Council urges the Georgia Congressional Delegation to support H.R. 2447, a copy of which is attached and made a part of this legislation.

**SECTION 3:** That the Municipal Clerk is hereby directed to forward a copy of this resolution to all members of the Georgia delegation in the United States Congress.



HR 2447 IH

110th CONGRESS

1st Session

**H. R. 2447**

To establish an Energy and Environment Block Grant Program, and for other purposes.

**IN THE HOUSE OF REPRESENTATIVES****May 23, 2007**

Mr. WYNN (for himself, Mr. TURNER, Mr. ENGEL, Mr. PALLONE, Mr. KENNEDY, Mr. INSLEE, Mr. BUTTERFIELD, Mr. WEINER, Mr. HASTINGS of Florida, and Mr. CARNAHAN) introduced the following bill; which was referred to the Committee on Energy and Commerce, and in addition to the Committee on Science and Technology, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

**A BILL**

To establish an Energy and Environment Block Grant Program, and for other purposes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

**SECTION 1. SHORT TITLE.**

This Act may be cited as the 'Energy and Environment Block Grant Act of 2007'.

**SEC. 2. FINDINGS.**

The Congress finds the following:

(1) Based on a recent United Nations report, the world scientific community now agrees that global warming is caused by the emission of greenhouse gases from human behavior and activity.

(2) The United States, while representing less than 5 percent of the



world's population, releases a projected 25 percent of all greenhouse gases emitted worldwide.

(3) Local governments are particularly well positioned to develop, implement, and promote energy efficiency and greenhouse gas reduction strategies at the community level, as part of a comprehensive national strategy to address global warming.

(4) The release of significant amounts of greenhouse gases occurs as a result of energy consumed by buildings and homes, and 39,300,000 new homes and 20,000,000,000 square feet of commercial office space are projected to be constructed between 2007 and 2031.

(5) Local governments, through revised building codes, building inspection, and the promotion of energy efficient retrofits and conservation measures, are uniquely positioned to work with their local business communities to encourage energy efficiency and greenhouse gas reduction strategies within the building construction and management sectors.

(6) The development of community-based conservation programs that reduce the usage of energy in homes and transportation will yield immediate and significant reductions of a jurisdiction's overall carbon emissions. Many cities have already signed Climate Protection Agreements, including a goal of all buildings being carbon neutral by 2030.

(7) Local governments control or influence land use, transportation, and development planning that directly impacts the design of a community, a major factor in the amount of greenhouse gases emitted.

(8) The development of local energy and environment comprehensive plans will provide local governments the strategies they need to establish specific energy efficiency and greenhouse gas emission reduction goals and milestones.

### **SEC. 3. DEFINITIONS.**

For purposes of this Act--

(1) the term 'eligible entity' means a State or an eligible unit of local government within a State;

(2) the term 'eligible unit of local government' means--

(A) a city with a population of at least 50,000; and



- (B) a county with a population of at least 200,000;
- (3) the term 'greenhouse gas' means--
  - (A) carbon dioxide;
  - (B) methane;
  - (C) nitrous oxide;
  - (D) hydrofluorocarbons;
  - (E) perfluorocarbons;
  - (F) sulfur hexafluoride; and
  - (G) any other anthropogenically-emitted gas that is determined by the Secretary, after notice and comment, to contribute to global warming to a non-negligible degree;
- (4) the term 'Secretary' means the Secretary of Energy; and
- (5) the term 'State' means one of the 50 States, the District of Columbia, the Commonwealth of Puerto Rico, Guam, American Samoa, the United States Virgin Islands, the Commonwealth of the Northern Mariana Islands, and any other commonwealth, territory, or possession of the United States.

#### **SEC. 4. ESTABLISHMENT OF PROGRAM.**

The Secretary shall establish an Energy and Environment Block Grant Program to make block grants to eligible entities as provided in this Act.

#### **SEC. 5. ALLOCATIONS.**

(a) In General- Of the funds appropriated for making grants under this Act for each fiscal year, the Secretary shall allocate 70 percent to be provided to eligible units of local government as provided in subsection (b) and 30 percent to be provided to States as provided in subsection (c).

(b) Eligible Units of Local Government- The Secretary shall provide grants to eligible units of local government according to a formula giving equal weight to--

- (1) population, according to the most recent available Census data; and
- (2) daytime population, or another similar factor such as square footage



of commercial, office, and industrial space, as determined by the Secretary.

(c) States- The Secretary shall provide grants to States according to a formula based on population, according to the most recent available Census data.

(d) Publication of Allocation Formulas- Not later than 90 days before the beginning of any fiscal year in which grants are to be made under this Act, the Secretary shall publish in the Federal Register the formulas for allocation described in subsection (b)(1) and (b)(2).

## **SEC. 6. ELIGIBLE ACTIVITIES.**

Funds provided through a grant under this Act may be used for the following activities:

(1) Development and implementation of an Energy Efficiency and Climate Protection Strategy under section 8 or 9.

(2) Retaining technical consultant services to assist an eligible entity in the development of such Strategy, including--

(A) estimation of the 1990 levels of greenhouse gas emissions within the jurisdiction of the eligible entity;

(B) determination of baseline greenhouse gas emissions for 2006 or the most recent year for best available data;

(C) formulation of energy efficiency and greenhouse gas emission reduction goals;

(D) identification of strategies to meet such goals through major emitters of greenhouse gases;

(E) identification of strategies to encourage behavioral changes among the populace that will help achieve such goals;

(F) development of methods to measure progress in achieving such goals;

(G) development and preparation of annual reports to the citizenry of the eligible entity's energy efficiency and greenhouse gas reduction strategies and goals, and progress in achieving them;

(H) analysis of potential mitigation strategies to offset the negative environmental impacts of global warming on the community; and



(I) other services to assist in the implementation of the Energy Efficiency and Climate Protection Strategy.

(3) Conducting energy audits.

(4) Development and implementation of weatherization programs.

(5) Creation of financial incentive programs for energy efficiency retrofits, including zero-interest or low-interest revolving loan funds.

(6) Grants to nonprofit organizations and governmental agencies for energy retrofits.

(7) Development and implementation of energy efficiency programs and technologies for buildings and facilities of nonprofit organizations and governmental agencies.

(8) Development and implementation of building and home energy conservation programs, including--

----- (A) design and operation of the programs; -----

(B) research on the most effective methods for achieving maximum participation and efficiency rates;

(C) public education;

(D) measurement protocols; and

(E) identification of energy efficient technologies.

(9) Development and implementation of transportation fuel conservation programs, including--

(A) promotion of public transit ridership;

(B) car pooling;

(C) reduction of vehicle miles traveled;

(D) increase in trip efficiencies;

(E) use of flex time by employers;

(F) satellite work centers; and

(G) other measures that have the effect of increasing fuel



efficiencies and decreasing fuel consumption.

(10) Development and implementation of alternative fuel technologies in public fleets that result in significant greenhouse gas emission reductions, including the retrofitting of diesel bus fleets with high technology exhaust filters and the purchase of zero-emission hydrogen fuel cell buses.

(11) Development and implementation of alternative fuel infrastructure that results in significant reductions in greenhouse gas emissions.

(12) Development and implementation of intelligent transportation systems designed to reduce congestion and related greenhouse gas emissions.

(13) Development and implementation of building codes and inspection services for public, commercial, industrial, and single and multifamily residential buildings to promote energy efficiency.

(14) Application and implementation of alternative energy and energy distribution technologies that significantly increase energy efficiency and reduce greenhouse gas emissions, including solar, wind, geothermal, district heating and cooling systems, and other renewable energy resources.

(15) Development and promotion of land use guidelines or requirements that result in energy efficiency and greenhouse gas emission reductions, including mixed use development, transit-oriented development, active living land use planning, and alternative transportation infrastructure such as bike lanes and pathways, pedestrian-oriented transportation, and parking for alternative forms of transportation.

(16) Promotion of greater participation and efficiency rates for material conservation programs, including source reduction, recycling, and recycled content procurement programs that lead to increases in energy efficiency and reductions in greenhouse gas emissions.

(17) Establishment of an office to assist in the development and implementation of the Energy Efficiency and Climate Protection Strategy.

## **SEC. 7. INELIGIBLE ACTIVITIES.**

Funds provided through a grant under this Act may be not used for the following activities:

(1) Purchase or leasing of equipment or vehicles for the private sector.



(2) Purchase of pollution control equipment for private electric utilities.

## **SEC. 8. REQUIREMENTS FOR ELIGIBLE UNITS OF LOCAL GOVERNMENT.**

(a) Proposed Strategy- Not later than 1 year after being awarded a grant under this Act, an eligible unit of local government shall submit to the Secretary a proposed Energy Efficiency and Climate Protection Strategy which establishes goals for increased energy efficiency and reduction of greenhouse gas emissions in the jurisdiction of the eligible units of local government. The Strategy shall include plans for the use of funds received under the grant to assist the eligible unit of local government in the achievement of such goals, consistent with sections 6 and 7. In developing such a Strategy, an eligible unit of local government shall take into account any plans for the use of funds by adjoining eligible units of local governments funded under this Act.

(b) Approval- The Secretary shall approve or disapprove a proposed Strategy submitted under subsection (a) not later than 90 days after receiving it. If the Secretary disapproves a proposed Strategy, the Secretary shall provide to the eligible unit of local government the reasons for such disapproval. The eligible unit of local government may revise and resubmit the Strategy, as many times as required, until approval is granted.

(c) Funding for Preparation of Strategy-

(1) IN GENERAL- Until the Secretary has approved a proposed Energy Efficiency and Climate Protection Strategy under subsection (b), the Secretary shall only disburse to an eligible unit of local government \$200,000 or 20 percent of the grant, whichever is greater, which may be used only for preparation of the Strategy.

(2) REMAINDER OF FUNDS- The remainder of an eligible unit of local government's grant funds awarded but not disbursed under paragraph (1) shall remain available and shall be disbursed by the Secretary upon approval of the Strategy.

(d) Limitations on Use of Funds- Of the amounts provided through a grant under this Act, an eligible unit of local government may use--

(1) not more than 10 percent, or \$75,000, whichever is greater, for administrative expenses, not including expenses needed to meet reporting requirements under this Act;

(2) not more than 20 percent, or \$250,000, whichever is greater, for the establishment of revolving loan funds; and



(3) not more than 20 percent, or \$250,000, whichever is greater, for subgranting to nongovernmental organizations for the purpose of assisting in the implementation of the Energy Efficiency and Climate Protection Strategy.

(e) Annual Report- Not later than 2 years after receipt of the first disbursement of funds from a grant awarded under this Act, and annually thereafter, an eligible unit of local government shall submit a report to the Secretary on the status of the Strategy's development and implementation, and, where practicable, a best available assessment of energy efficiency gains and greenhouse gas reductions within the jurisdiction of the eligible unit of local government.

## **SEC. 9. REQUIREMENTS FOR STATES.**

(a) Allocation of Grant Funds- A State receiving a grant under this Act shall use at least 70 percent of the funds received to provide subgrants to units of local government in the State that are not eligible units of local government. The State shall make such subgrant awards not later than 6 months after approval of the State's Strategy under subsection (c).

(b) Proposed Strategy- Not later than 120 days the date of enactment of this Act, each State shall submit to the Secretary a proposed Energy Efficiency and Climate Protection Strategy which establishes a process for making subgrants described in subsection (a), and establishes goals for increased energy efficiency and reduction of greenhouse gas emissions in the jurisdiction of the State. The Strategy shall include plans for the use of funds received under a grant under this Act to assist the State in the achievement of such goals, consistent with sections 6 and 7.

(c) Approval- The Secretary shall approve or disapprove a proposed Strategy submitted under subsection (b) not later than 90 days after receiving it. If the Secretary disapproves a proposed Strategy, the Secretary shall provide to the State the reasons for such disapproval. The State may revise and resubmit the Strategy, as many times as required, until approval is granted.

(d) Funding for Preparation of Strategy-

(1) IN GENERAL- Until the Secretary has approved a proposed Energy Efficiency and Climate Protection Strategy under subsection (b), the Secretary shall only disburse to a State \$200,000 or 20 percent of the grant, whichever is greater, which may be used only for preparation of the Strategy.

(2) REMAINDER OF FUNDS- The remainder of a State's grant funds awarded but not disbursed under paragraph (1) shall remain available



and shall be disbursed by the Secretary upon approval of the Strategy.

(e) Limitations on Use of Funds- Of the amounts provided through a grant under this Act, a State may use not more than 10 percent for administrative expenses.

(f) Annual Reports- A State shall annually report to the Secretary on the development and implementation of its Strategy. Each such report shall include--

- (1) a status report on the State's subgrant program described in subsection (a);
- (2) a best available assessment of energy efficiency gains and greenhouse gas reductions achieved through the State's Strategy; and
- (3) specific energy efficiency and greenhouse gas reduction goals for future years.

## **SEC. 10. REVIEW AND EVALUATION.**

The Secretary may review and evaluate the performance of grant recipients, including by performing audits, and may deny funding to such grant recipients for failure to properly adhere to--

- (1) the Secretary's guidelines and regulations relating to the program under this Act, including the misuse or misappropriation of funds; or
- (2) the grant recipient's Strategy.

## **SEC. 11. OFFICE OF ENERGY AND ENVIRONMENTAL BLOCK GRANTS.**

(a) Establishment- The Secretary shall establish an Office of Energy and Environmental Block Grants to administer the program under this Act. The Director of the Office shall have the title of Assistant Secretary for Energy Efficiency and Climate Protection.

(b) State and Local Advisory Committee- The Office shall establish a State and Local Advisory Committee to provide it advice regarding the administration, direction, and evaluation of the program under this Act, and to assist in developing priorities for the Research, Technical Assistance, and Education Program established under section 12.

(c) Authorization of Appropriations- There are authorized to be appropriated to the Secretary for administrative expenses of the Office established under



subsection (a)--

- (1) \$20,000,000 for fiscal year 2008;
- (2) \$20,000,000 for fiscal year 2009;
- (3) \$25,000,000 for fiscal year 2010;
- (4) \$25,000,000 for fiscal year 2011; and
- (5) \$30,000,000 for fiscal year 2012.

## **SEC. 12. RESEARCH, TECHNICAL ASSISTANCE, AND EDUCATION PROGRAM.**

(a) Establishment- The Office of Energy and Environmental Block Grants shall establish and carry out a Research, Technical Assistance, and Education Program to provide--

- (1) technical assistance to State and local governments;
- (2) public education programs;
- (3) demonstration of innovative energy efficiency and greenhouse gas reduction systems, technologies, and practices; and
- (4) research and development of effective measurement methodologies, methods for changing or influencing public participation in energy efficiency and greenhouse gas reduction programs, and other methods to increase public awareness of, and action on, the global warming crisis.

(b) Eligible Recipients- Eligible recipients of assistance under this section shall include State and local governments, State and local government associations, public and private nonprofit organizations, and colleges and universities.

(c) Authorization of Appropriations- There are authorized to be appropriated to the Secretary for carrying out this section \$150,000,000 for each of the fiscal years 2008 through 2012.

## **SEC. 13. AUTHORIZATION OF APPROPRIATIONS.**

There are authorized to be appropriated to the Secretary for grants under this Act--

- (1) \$4,000,000,000 for fiscal year 2008;



- (2) \$4,000,000,000 for fiscal year 2009;
- (3) \$5,000,000,000 for fiscal year 2010;
- (4) \$5,000,000,000 for fiscal year 2011; and
- (5) \$6,000,000,000 for fiscal year 2012.

END



**A RESOLUTION**

**BY: COUNCILMEMBER CEASAR C. MITCHELL**

**A RESOLUTION TO ENDORSE HR 3535 HOMEBUYER'S PROTECTION ACT OF 2007 PENDING IN THE UNITED STATES CONGRESS; TO URGE THE GEORGIA CONGRESSIONAL DELEGATION TO SUPPORT THE ACT; AND FOR OTHER PURPOSES.**

**WHEREAS**, the number of foreclosure sales in metro Atlanta nearly tripled from 15,253 in 2000 to 44,971 in 2006, according to a report published by Equity Depot, an Atlanta company that tracks foreclosures; and

**WHEREAS**, a significant number of foreclosures is caused by subprime loans; and

**WHEREAS**, in July, 2007, Georgia had the second highest home foreclosure rate in the country with southwest Atlanta, DeKalb County and Clayton County having the highest rates of foreclosure in metro Atlanta, as reported in the Atlanta Journal-Constitution, dated September 9, 2007; and

**WHEREAS**, the epidemic of foreclosures has devastated thousands of homeowners across Atlanta, both financially and emotionally; and

**WHEREAS**, homeowners with subprime mortgage loans often face the following difficulties: (1) higher monthly payments after the initial rate adjustment; (2) additional expenses for property taxes and homeowners insurance that were not escrowed; and (3) incurring high refinancing fees; and

**WHEREAS**, as foreclosures depress property values, local governments will eventually be hit by a decrease in property tax revenues; and

**WHEREAS**, Representative Paul Hodes of New Hampshire introduced H.R. 3535, entitled "Homebuyer's Protection Act of 2007", in the House of Representatives on September 14, 2007; and

**WHEREAS**, reducing subprime foreclosures is the aim of the H.R. 3535, which will amend the Truth in Lending Act by requiring escrow accounts for the payment of property taxes and insurance for all subprime loans, and expand the coverage of appraisal requirements under the Financial Institutions Reform, Recovery, and Enforcement Act of 1989.

**NOW THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, as follows:**



**SECTION 1:** That the Atlanta City Council endorses H.R. 3535 (Homebuyer's Protection Act of 2007) pending in the United States Congress.

**SECTION 2:** That the Atlanta City Council urges the Georgia Congressional Delegation to support H.R. 3535, a copy of which is attached and made a part of this legislation.

**SECTION 3:** That the Municipal Clerk is hereby directed to forward a copy of this resolution to all members of the Georgia delegation in the United States Congress.



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**Homebuyer's Protection Act of 2007 (Introduced in House)**

HR 3535 IH

110th CONGRESS

1st Session

**H. R. 3535**

To amend the Truth in Lending Act to require escrow accounts for the payment of property taxes and insurance for all subprime loans, and to expand the coverage of the appraisal requirements under the Financial Institutions Reform, Recovery, and Enforcement Act of 1989, and for other purposes.

**IN THE HOUSE OF REPRESENTATIVES****September 14, 2007**

Mr. HODES (for himself and Ms. MOORE of Wisconsin) introduced the following bill; which was referred to the Committee on Financial Services

**A BILL**

To amend the Truth in Lending Act to require escrow accounts for the payment of property taxes and insurance for all subprime loans, and to expand the coverage of the appraisal requirements under the Financial Institutions Reform, Recovery, and Enforcement Act of 1989, and for other purposes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

**SECTION 1. SHORT TITLE.**



This Act may be cited as the 'Homebuyer's Protection Act of 2007'.

## **SEC. 2. ESCROW ACCOUNTS REQUIRED FOR SUBPRIME LOANS.**

(a) In General- Chapter 2 of the Truth in Lending Act (15 U.S.C. 1631 et seq.) is amended by inserting after section 129 the following new section:

### **'Sec. 129A. Escrow or impound accounts relating to certain consumer credit transactions**

'(a) In General- A creditor, in connection with the formation or consummation of a subprime mortgage , shall establish, at the time of the consummation of such mortgage , an escrow or impound account for the payment of taxes and hazard insurance as provided in, and in accordance with, this section, unless such an account already exists.

'(b) Duration of Escrow or Impound Account- An escrow or impound account established pursuant to this section, shall remain in existence for as long as the subprime mortgage is outstanding.

'(c) Administration of Escrow or Impound Accounts- Except as may otherwise be provided for in this title or in regulations prescribed by the Board, escrow or impound accounts established pursuant to this section shall be established in an insured depository institution.

'(d) Disclosures Relating to Escrow or Impound Account-

'(1) IN GENERAL- In the case of any impound, trust, or escrow account that is subject to this section, the creditor shall disclose by written notice to the consumer within 3 business days before the consummation of the consumer credit transaction giving rise to such account the following information:

'(A) The fact that an escrow or impound account will be established at consummation of the transaction.

'(B) The amount required at closing to initially fund the escrow or impound account.

'(C) The amount in the initial year of the estimated taxes and hazard insurance premiums.

'(D) The estimated monthly amount payable for taxes and hazard insurance.

'(2) REGULATIONS- The Board shall prescribe by regulation the contents of the notice required in paragraph (1) no later than 90 days after the date of the enactment of the Homebuyer's Protection Act of 2007.

'(e) Hazard Insurance Defined- For purposes of this section, the term 'hazard insurance' shall have the same meaning as provided under the law of the State



where the real property securing the consumer credit transaction is located.'.

(b) Clerical Amendment- The table of sections for chapter 2 of the Truth in Lending Act is amended by inserting after the item relating to section 129 the following new item:

` 129A. Escrow or impound accounts relating to certain consumer credit transactions.'.

### **SEC. 3. SCOPE OF APPRAISAL REQUIREMENTS.**

(a) In General- Title XI of the Financial Institutions Reform, Recovery, and Enforcement Act of 1989 (12 U.S.C. 3331 et seq.) is amended by striking `federally related transaction' and `federally related transactions' each place each such term appears and inserting `real estate related financial transaction' or `real estate related financial transactions', as the case may be.

(b) Technical and Conforming Amendments-

(1) The heading of section 1120 of the Financial Institutions Reform, Recovery, and Enforcement Act of 1989 (12 U.S.C. 3349) is amended by striking `federally related transactions' and inserting `real estate related financial transactions'.

(2) Section 1121 of the Financial Institutions Reform, Recovery, and Enforcement Act of 1989 (12 U.S.C. 3350) is amended--

(A) by striking paragraph (4); and

(B) in paragraph (5), by striking `any transaction involving' and inserting `any consumer transaction involving'.

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**A RESOLUTION  
BY COUNCIL MEMBER**

**A RESOLUTION TO SUPPORT REBATES FOR RETROFITS FOR LOW-FLOW TOILETS; AND FOR OTHER PURPOSES.**

**WHEREAS**, since 2006, northern Georgia has been experiencing a drought that has significantly worsened in recent months due to extremely low levels of rainfall; and

**WHEREAS**, in August of 2007, rivers, lakes and streams in north Georgia were at or near record lows and according the U.S. Army Corp of Engineers, Lake Lanier may be at an historic low by the end of 2007;

**WHEREAS**, on September 28, 2007, the Director of the Environmental Protection Division, Department of Natural Resources, State of Georgia Declared Drought Response Level Four water use restrictions for the northern third of Georgia; and

**WHEREAS**, on October 20, 2007 Governor Perdue signed an executive order declaring a state of emergency in 85 counties in Georgia due to the historic drought; and.

**WHEREAS**, holders of withdrawal permits and public water supply systems with operating permits, including the City of Atlanta, have been required to reduce water use by ten percent (10%) beginning November 1, 2007 due to the recent drought; and

**WHEREAS**, the conservation effort due to the drought should be a shared response by all of Georgia's businesses and individual citizens; and

**WHEREAS**, voluntary efforts by individuals and businesses will contribute to the conservation of our dwindling water resources; and

**WHEREAS**, it is desirable and in the best interests of the City to encourage the retrofitting of low-flow toilets to help conserve water; and

**WHEREAS**, providing rebates will encourage the accelerated installation of low flow toilets in businesses and residences within the City of Atlanta's regional drinking water service area; and

**WHEREAS**, the Atlanta Regional Commission and the Metropolitan North Georgia Water Planning District both recommend such programs for the North Georgia area.

**THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA, HEREBY RESOLVES**, that the City of Atlanta support the implementation of a region-wide program to provide rebates to those who retrofit low-flow toilets.



**BE IT FURTHER RESOLVED**, that the City of Atlanta support providing funding of One Million Dollars (\$1,000,000.00) into a region wide program that will provide One Million Dollars (\$1,000,000.00) in rebates to those Department of Watershed Management Drinking Water customers who retrofit low-flow toilets.

**BE IT FINALLY RESOLVED**, that all resolutions in conflict herewith are waived for this instance only.



**A SUBSTITUTE RESOLUTION BY  
FINANCE/EXECUTIVE COMMITTEE**

**A SUBSTITUTE RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AN CONTRACTUAL AGREEMENT WITH THE XEROX CORPORATION, TO OPERATE AND MANAGE THE DOCUMENT SERVICE CENTER IN ATLANTA CITY HALL AND CITY HALL EAST, AS A COST SAVINGS BENEFIT FOR CITY DEPARTMENTS, ON BEHALF OF THE EXECUTIVE OFFICES-OFFICE OF ENTERPRISE ASSETS MANAGEMENT, IN AN AMOUNT NOT TO EXCEED ONE HUNDRED NINETEEN THOUSAND EIGHTY EIGHT DOLLARS (\$119,088.00). ALL FUNDS TO BE PAID FROM FUND, ACCOUNT, CENTER NUMBER: 1A01 (GENERAL FUND) 524001 (CONSULTANT SERVICES) D81012 (PRINTING FACILITIES- CITY HALL SOUTH); AND FOR OTHER PURPOSES.**

**WHEREAS**, the City of Atlanta ("City") requires a qualified contractor to operate and manage the Document Service Center ("Print Center") in City Hall and City Hall East; and

**WHEREAS**, the Officer of the Office of Enterprise Assets Management has identified a cost savings benefit for the various City department's by contracting document operations and management to a responsible bidder; and

**WHEREAS**, the Officer of the Office of Enterprise Assets Management and the Chief Procurement Officer have recommended that the Xerox Corporation be awarded the agreement, to operate and manage the Document Service Center (Print Center) in City Hall and City Hall East, in an amount not to exceed One Hundred Nineteen Thousand Eighty Eight Dollars (\$119,088.00).

**THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA, HEREBY RESOLVES**, that the Mayor is authorized to enter into an Agreement with the Xerox Corporation, to operate and manage the Document Service Center (Print Center) in Atlanta City Hall and City Hall East, in an amount not to exceed One Hundred Nineteen Thousand Eighty Eight Dollars (\$119,088.00).

**BE IT FURTHER RESOLVED**, that the agreement will be for a term of three (3) years with two (2) one (1) year renewal options.

**BE IT FURTHER RESOLVED**, that the Chief Procurement Officer is directed to prepare an appropriate Agreement for execution by the Mayor.

**BE IT FURTHER RESOLVED**, that the Agreement will not become binding on the City and the City will incur no obligation or liability under it until same has been executed by the Mayor, attested to by the Municipal Clerk, approved as to form by the City Attorney and delivered to the Xerox Corporation.



**BE IT FINALLY RESOLVED**, that all contracted work will be charged to and paid from the following Fund, Account and Center Number: 1A01 (General Fund) 524001 (Consultant Services) D81012 (Printing Facilities- City Hall South).



**Part II: Legislative White Paper:** (This portion of the Legislative Request Form will be shared with City Council members and staff)

**A. To be completed by Legislative Counsel:**

**Committee of Purview:** Finance/ Executive Committee

**Caption:** A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AN CONTRACTUAL AGREEMENT WITH THE XEROX CORPORATION, FOR FC-6007000063, TO OPERATE AND MANAGE THE DOCUMENT SERVICE CENTER IN ATLANTA CITY HALL AND CITY HALL EAST, AS A COST SAVINGS BENEFIT FOR CITY DEPARTMENTS, ON BEHALF OF THE EXECUTIVE OFFICES-OFFICE OF ENTERPRISE ASSETS MANAGEMENT, IN AN AMOUNT NOT TO EXCEED ONE HUNDRED NINETEEN THOUSAND EIGHTY EIGHT DOLLARS (\$119,088.00). ALL FUNDS TO BE PAID FROM FUND, ACCOUNT, CENTER NUMBER: 1A01 (GENERAL FUND) 524001 (CONSULTANT SERVICES) D81012 (PRINTING FACILITIES- CITY HALL SOUTH); AND FOR OTHER PURPOSES.

**Council Meeting Date:** January 7, 2008

**Requesting Dept.:** The Executive Offices- Office of Enterprise Asset Management

**B. To be completed by the department :**

**1. Please provide a summary of the purpose of this legislation (Justification Statement).**

The purpose of this legislative request is to have a Resolution drafted to authorize a contractual agreement with the Xerox Corporation, to operate and manage the document service center (Print Center) in Atlanta City Hall, as a cost savings benefit for City departments on behalf of The Executive Offices-Office of Enterprise Assets Management. All funds to be paid from Fund, Account and Center Number: 1A01 (General Fund), 524001 (Consultant Services) D81012 (Printing Facilities- City Hall South), in an amount not to exceed One Hundred Nineteen Thousand Eighty Eight Dollars (\$119,088.00).

**2. Please provide background information regarding this legislation.**

The purpose of this legislation is for a Contractor to process the City's Printing and Binding needs.

**3. If Applicable/Known:**

(a) **Contract Type (e.g. Professional Services, Construction Agreement, etc):**

(b) **Source Selection:** 0

(c) **Bids/Proposals Due:**



(d) **Invitations Issued:**

(e) **Number of Bids:** 0

(f) **Proposals Received:** 0

(g) **Bidders/Proponents:** 0

(h) **Term of Contract:** Three (3) years with two (2) one (1) year renewal options.

**4. Fund Account Center:** 1A01 (General Fund), 524001 (Consultant Services) D81012 (Printing Facilities- City Hall South)

**5. Source of Funds: *Example: Local Assistance Grant:*** The funding source will be from the above referenced Fund, Account and Center Number

**6. Fiscal Impact:** This legislation will impact the above referenced Fund, Account and Center Number.

**7. Method of Cost Recovery:** N/A

**This Legislative Request Form Was Prepared By:** Perceta Watkins



**A RESOLUTION  
BY FINANCE/EXECUTIVE COMMITTEE**

**A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AN CONTRACTUAL AGREEMENT WITH THE XEROX CORPORATION, FOR FC-6007000063, TO OPERATE AND MANAGE THE DOCUMENT SERVICE CENTER IN ATLANTA CITY HALL AND CITY HALL EAST, AS A COST SAVINGS BENEFIT FOR CITY DEPARTMENTS ON BEHALF OF THE OFFICE OF FACILITIES MANAGEMENT, IN AN AMOUNT NOT TO EXCEED ONE HUNDRED TWO THOUSAND FOUR HUNDRED FIFTY FOUR DOLLARS (\$102,454.00). ALL FUNDS TO BE PAID FROM FUND, ACCOUNT, CENTER NUMBER: 1A01 (GENERAL FUND) 524001 (CONSULTANT SERVICES) D81012 (PRINTING FACILITIES- CITY HALL SOUTH); AND FOR OTHER PURPOSES.**

**WHEREAS**, the City of Atlanta ("City") requires a qualified contractor to operate and manage the Document Service Center ("Print Center") in City Hall and City Hall East; and

**WHEREAS**, the Director of the Office of Facilities Management has identified a cost savings benefit for the various City department's by contracting document operations and management to a responsible bidder; and

**WHEREAS**, the City did advertise for FC-6007000063, on behalf of the Office of Facilities Management; and

**WHEREAS**, the Director of the Office of Facilities Management and the Chief Procurement Officer have recommended that the agreement for FC-6007000063, to operate and manage the Print Center in City Hall and City Hall East, be awarded to the most responsive and responsible bidder, Xerox Corporation.

**THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA, HEREBY RESOLVES**, that the Mayor is authorized to enter into an Agreement with the Xerox Corporation, for FC-6007000063, to operate and manage the Document Service Center in Atlanta City Hall and City Hall East, in an amount not to exceed One Hundred Two Thousand Four Hundred Fifty Four Dollars (\$102,454.00).

**BE IT FURTHER RESOLVED**, that the agreement will be for a term of three (3) years with two (2) one (1) year renewal options.

**BE IT FURTHER RESOLVED**, that the Chief Procurement Officer is directed to prepare an appropriate Agreement for execution by the Mayor.



**BE IT FURTHER RESOLVED**, that the Agreement will not become binding on the City and the City will incur no obligation or liability under it until same has been executed by the Mayor, attested to by the Municipal Clerk, approved as to form by the City Attorney and delivered to the Xerox Corporation.

**BE IT FINALLY RESOLVED**, that all contracted work will be charged to and paid from the following Fund, Account and Center Number: 1A01 (General Fund) 524001 (Consultant Services) D81012 (Printing Facilities- City Hall South).



**Part II: Legislative White Paper:** (This portion of the Legislative Request Form will be shared with City Council members and staff)

**A. To be completed by Legislative Counsel:**

**Committee of Purview:** Finance/ Executive Committee

**Caption:** A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AN CONTRACTUAL AGREEMENT WITH THE XEROX CORPORATION, FOR FC-6007000063, TO OPERATE AND MANAGE THE DOCUMENT SERVICE CENTER IN ATLANTA CITY HALL AND CITY HALL EAST, AS A COST SAVINGS BENEFIT FOR CITY DEPARTMENTS ON BEHALF OF THE OFFICE OF FACILITIES MANAGEMENT, IN AN AMOUNT NOT TO EXCEED ONE HUNDRED TWO THOUSAND FOUR HUNDRED FIFTY FOUR DOLLARS (\$102,454.00). ALL FUNDS TO BE PAID FROM FUND, ACCOUNT, CENTER NUMBER: 1A01 (GENERAL FUND) 524001 (CONSULTANT SERVICES) D81012 (PRINTING FACILITIES- CITY HALL SOUTH); AND FOR OTHER PURPOSES.

**Council Meeting Date:** December 3, 2007

**Requesting Dept.:** Office of Facilities Management

**B. To be completed by the department :**

**1. Please provide a summary of the purpose of this legislation (Justification Statement).**

The purpose of this legislative request is to have a Resolution drafted to authorize a contractual agreement with the most responsive bidder to operate and manage the document service center (Print Center) in Atlanta City Hall, as a cost savings benefit for City departments on behalf of the Office of Facilities Management. All funds to be paid from Fund, Account and Center Number: 1A01 (General Fund), 524001 (Consultant Services) D81012 (Printing Facilities- City Hall South), in an amount not to exceed One Hundred Two Thousand Four Hundred Fifty Four Dollars (\$102,454.00).

**2. Please provide background information regarding this legislation.**

The purpose of this legislation is for a Contractor to process the City's Printing and Binding needs.

**3. If Applicable/Known:**

(a) **Contract Type (e.g. Professional Services, Construction Agreement, etc):**

(b) **Source Selection:** 0



(c) Bids/Proposals Due:

(d) Invitations Issued:

(e) Number of Bids: 0

(f) Proposals Received: 0

(g) Bidders/Proponents: 0

(h) Term of Contract: Three (3) years with two (2) one (1) year renewal options.

4. Fund Account Center: 1A01 (General Fund), 524001 (Consultant Services) D81012 (Printing Facilities- City Hall South)

5. Source of Funds: *Example: Local Assistance Grant:* The funding source will be from the above referenced Fund, Account and Center Number

6. Fiscal Impact: This legislation will impact the above referenced Fund, Account and Center Number.

7. Method of Cost Recovery: N/A

This Legislative Request Form Was Prepared By: Perceta Watkins



TRANSMITTAL FORM FOR LEGISLATION

TO: MAYOR'S OFFICE

ATTN: GREG PRIDGEON

Dept.'s Legislative Liaison: Perceta Watkins

Contact Number: (404) 330-6569

Originating Department: Office of Facilities Management

EXECUTIVE OFFICES

Committee(s) of Purview: Finance/ Executive Committee

Chief of Staff Deadline: October 29, 2007

Anticipated Committee Meeting Date(s): November 14, 2007

Anticipated Full Council Date: November 19, 2007

Legislative Counsel's Signature: Terry Grandison

*Terry Grandison*

Commissioner Signature: *Tony B. ...*

*Tony B. ...*

Chief Procurement Officer Signature: *Adrian J. ...*

*Adrian J. ...*

**CAPTION**

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AN CONTRACTUAL AGREEMENT WITH THE XEROX CORPORATION, FOR FC-6007000063, TO OPERATE AND MANAGE THE DOCUMENT SERVICE CENTER IN ATLANTA CITY HALL AND CITY HALL EAST, AS A COST SAVINGS BENEFIT FOR CITY DEPARTMENTS, ON BEHALF OF THE OFFICE OF FACILITIES MANAGEMENT, IN AN AMOUNT NOT TO EXCEED ONE HUNDRED TWO THOUSAND FOUR HUNDRED FIFTY FOUR DOLLARS (\$102,454.00). ALL FUNDS TO BE PAID FROM FUND, ACCOUNT, CENTER NUMBER: 1A01 (GENERAL FUND) 524001 (CONSULTANT SERVICES) D81012 (PRINTING FACILITIES- CITY HALL SOUTH); AND FOR OTHER PURPOSES.

Mayor's Staff Only

Received by CPO: \_\_\_\_\_  
(date)

Received by LC from CPO: \_\_\_\_\_  
(date)

Received by Mayor's Office: 11.13.07  
(date)

*[Signature]*

Reviewed by: \_\_\_\_\_  
(date)

Submitted to Council:

\_\_\_\_\_  
(date)



**A SUBSTITUTE RESOLUTION BY  
FINANCE/EXECUTIVE COMMITTEE**

**A SUBSTITUTE RESOLUTION AUTHORIZING THE MAYOR, ON BEHALF OF THE EXECUTIVE OFFICE-OFFICE OF ENTERPRISE ASSETS MANAGEMENT, TO ENTER INTO A MEMORANDUM OF UNDERSTANDING ("MOU") WITH THE ATLANTA WORKFORCE DEVELOPMENT AGENCY, FOR THE PURPOSE OF IMPLEMENTING A CULINARY TRAINING PROGRAM IN THE CITY HALL CAFETERIA, FOR A PERIOD OF TWO (2) YEARS WITH TWO (2) ONE YEAR RENEWAL OPTIONS, IN AN AMOUNT NOT TO EXCEED TWENTY FIVE DOLLARS (\$25.00) MONTHLY; THAT ALL REVENUE RECEIVED PURSUANT TO THIS MOU SHALL BE DEPOSITED INTO FUND, ACCOUNT, AND CENTER NUMBER: 1A01 (GENERAL FUND) 462311 (FOOD, DRINK & NOTIONS) B00001 (REVENUE CENTER) ; AND FOR OTHER PURPOSES.**

**WHEREAS**, the Atlanta Workforce Development Agency ("AWDA") has developed a Culinary Training Program ("CTP") to enable unemployed individuals to gain skills in the culinary industry; and

**WHEREAS**, the CTP is a 12-week program geared to teach trainees the necessary skills to work in a restaurant, cafe', hotel, or other food service establishment. The required lessons will include hygiene & sanitation, food & nutrition, cooking techniques, food & kitchen safety, and serving etiquette; and

**WHEREAS**, during the said 12-week program, trainees will receive hands on experience in the City of Atlanta's ("City") dining facility. Trainees will prepare and serve City employees, under the leadership and supervision of a tenured Chef/Manager. Trainees will also be responsible for maintaining and cleaning the dining facility; and

**WHEREAS**, the City's contract with Carlyle Cafeteria Services terminated on November 2, 2007; and

**WHEREAS**, the City desires to facilitate AWDA's Culinary Training Program by entering into a Memorandum of Understanding ("MOU") with AWDA to enable, otherwise unemployed individuals, to gain skills in the culinary industry; and

**WHEREAS**, the term of the MOU shall be for a period of two (2) years with two (2) one year renewal options; and

**WHEREAS**, pursuant to the said MOU, AWDA shall pay a rental fee of a twenty five dollars (\$25.00) a month for use of the City's aforesaid dining facility; and

**WHEREAS**, additionally, AWDA is responsible for providing the food service vendor.

**THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA, HEREBY RESOLVES**, that the Mayor be and is hereby authorized, on behalf of The Executive



Offices-Office of Enterprise Assets Management, to enter into a Memorandum of Understanding ("MOU") with the Atlanta Workforce Development Agency ("AWDA"), for the purpose of implementing a culinary training program in the City Hall cafeteria.

**BE IT FURTHER RESOLVED**, the term of the MOU shall be for a period of two (2) years with two (2) one year renewal options.

**BE IT FURTHER RESOLVED**, that the City Attorney be and is hereby directed to review the MOU to be approved by the City Attorney as to form for execution by the Mayor.

**BE IT FURTHER RESOLVED**, that this MOU shall not become binding on the City, and that the City shall incur no liability upon the same until such agreement has been fully executed by the Mayor and delivered to the AWDA.

**BE IT FINALLY RESOLVED**, that all revenue received pursuant to this MOU shall be deposited into Fund, Account, and Center Number: 1A01 (General Fund) 462311 (Food, Drink & Notions) B00001 (Revenue Center).



**A RESOLUTION  
BY FINANCE/EXECUTIVE COMMITTEE**

**A RESOLUTION AUTHORIZING THE MAYOR, ON BEHALF OF THE OFFICE OF FACILITIES MANAGEMENT, TO ENTER INTO A MEMORANDUM OF UNDERSTANDING ("MOU") WITH THE ATLANTA WORKFORCE DEVELOPMENT AGENCY, FOR THE PURPOSE OF IMPLEMENTING A CULINARY TRAINING PROGRAM IN THE CITY HALL CAFETERIA, FOR A PERIOD OF TWO (2) YEARS WITH TWO (2) ONE YEAR RENEWAL OPTIONS, IN AN AMOUNT NOT TO EXCEED TWENTY FIVE DOLLARS (\$25.00) MONTHLY; THAT ALL REVENUE RECEIVED PURSUANT TO THIS MOU SHALL BE DEPOSITED INTO FUND, ACCOUNT, AND CENTER NUMBER: 1A01 (GENERAL FUND) 462311 (FOOD, DRINK & NOTIONS) B00001 (REVENUE CENTER) ; AND FOR OTHER PURPOSES.**

**WHEREAS**, the Atlanta Workforce Development Agency ("AWDA") has developed a Culinary Training Program ("CTP") to enable unemployed individuals to gain skills in the culinary industry; and

**WHEREAS**, the CTP is a 12-week program geared to teach trainees the necessary skills to work in a restaurant, cafe', hotel, or other food service establishment. The required lessons will include hygiene & sanitation, food & nutrition, cooking techniques, food & kitchen safety, and serving etiquette; and

**WHEREAS**, during the said 12-week program, trainees will receive hands on experience in the City of Atlanta's ("City") dining facility. Trainees will prepare and serve City employees, under the leadership and supervision of a tenured Chef/Manager. Trainees will also be responsible for maintaining and cleaning the dining facility; and

**WHEREAS**, the City's contract with Carlyle Cafeteria Services terminated on November 2, 2007; and

**WHEREAS**, the City desires to facilitate AWDA's Culinary Training Program by entering into a Memorandum of Understanding ("MOU") with AWDA to enable, otherwise unemployed individuals, to gain skills in the culinary industry; and

**WHEREAS**, the term of the MOU shall be for a period of three (3) years with two (2) one year renewal options; and

**WHEREAS**, pursuant to the said MOU, AWDA shall pay a rental fee of a twenty five dollars (\$25.00) a month for use of the City's aforesaid dining facility; and

**WHEREAS**, additionally, AWDA is responsible for providing the food service vendor.

**THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA, HEREBY RESOLVES**, that the Mayor be and is hereby authorized, on behalf of the Office of Facilities Management, to enter into a Memorandum of Understanding ("MOU") with the



Atlanta Workforce Development Agency (“AWDA”), for the purpose of implementing a culinary training program in the City Hall cafeteria.

**BE IT FURTHER RESOLVED**, the term of the MOU shall be for a period of three (3) years with two (2) one year renewal options.

**BE IT FURTHER RESOLVED**, that the City Attorney be and is hereby directed to review the MOU to be approved by the City Attorney as to form for execution by the Mayor.

**BE IT FURTHER RESOLVED**, that this MOU shall not become binding on the City, and that the City shall incur no liability upon the same until such agreement has been fully executed by the Mayor and delivered to the AWDA.

**BE IT FINALLY RESOLVED**, that all revenue received pursuant to this MOU shall be deposited into Fund, Account, and Center Number: 1A01 (General Fund) 462311 (Food, Drink & Notions) B00001 (Revenue Center).



**Part II: Legislative White Paper:** (This portion of the Legislative Request Form will be shared with City Council members and staff)

**A. To be completed by Legislative Counsel:**

**Committee of Purview:** Community Development/ Human Resources Committee

**A RESOLUTION AUTHORIZING THE MAYOR, ON BEHALF OF THE OFFICE OF FACILITIES MANAGEMENT, TO ENTER INTO A MEMORANDUM OF UNDERSTANDING ("MOU") WITH THE ATLANTA WORKFORCE DEVELOPMENT AGENCY, FOR THE PURPOSE OF IMPLEMENTING A CULINARY TRAINING PROGRAM IN THE CITY HALL CAFETERIA, FOR A PERIOD OF TWO (2) YEARS WITH TWO (2) ONE YEAR RENEWAL OPTIONS, IN AN AMOUNT NOT TO EXCEED TWENTY FIVE DOLLARS (\$25.00) MONTHLY; THAT ALL REVENUE RECEIVED PURSUANT TO THIS MOU SHALL BE DEPOSITED INTO FUND, ACCOUNT, AND CENTER NUMBER: 1A01 (GENERAL FUND) 462311 (FOOD, DRINK & NOTIONS) B00001 (REVENUE CENTER);; AND FOR OTHER PURPOSES.**

**Council Meeting Date:** November 19, 2007

**Requesting Dept.:** Office of General Services

**B. To be completed by the department:**

**1. Please provide a summary of the purpose of this legislation (Justification Statement).**

**2. Please provide background information regarding this legislation.**

**3. If Applicable/Known:**

**(a) Contract Type (e.g. Professional Services, Construction Agreement, etc):**

**(b) Source Selection:**

**(c) Bids/Proposals Due:**

**(d) Invitations Issued:**

**(e) Number of Bids:**



(f) **Proposals Received:**

(g) **Bidders/Proponents:**

(h) **Term of Contract:** 3 years with two (2) one year renewal options.

**4. Fund Account Center:** 1A01 (GENERAL FUND) 462311 (FOOD, DRINK & NOTIONS) B00001 (REVENUE CENTER)

**5. Source of Funds:** This will be a revenue generating contract and funds will be deposited into 1A01 (General Fund) 462311 (Food, Drink & Notions) B00001 (Revenue Center).

**6. Fiscal Impact:** Gourmet Services will remit to the City of Atlanta- Office of Facilities Management \$25.00 per month rental fee to be deposited into the above referenced Fund, Account and Center Number.

**7. Method of Cost Recovery:**

**This Legislative Request Form Was Prepared By:** Perceta Watkins



TRANSMITTAL FORM FOR LEGISLATION

TO: MAYOR'S OFFICE

ATTN: GREG PRIDGEON

Dept.'s Legislative Liaison: Perceta Watkins

Contact Number: (404) 330-6569

Originating Department: Office of Facilities Management

EXECUTIVE OFFICES

Committee(s) of Purview: Finance/ Executive Committee

Chief of Staff Deadline: October 29, 2007

Anticipated Committee Meeting Date(s): November 13, 2007

Anticipated Full Council Date: November 19, 2007

Legislative Counsel's Signature: Terry Grandison

*Terry Grandison*

Commissioner Signature: *[Signature]*

Chief Procurement Officer Signature: *[Signature]*

*[Signature]*  
CPLC

**CAPTION**

A RESOLUTION AUTHORIZING THE MAYOR, ON BEHALF OF THE OFFICE OF FACILITIES MANAGEMENT, TO ENTER INTO A MEMORANDUM OF UNDERSTANDING ("MOU") WITH THE ATLANTA WORKFORCE DEVELOPMENT AGENCY, FOR THE PURPOSE OF IMPLEMENTING A CULINARY TRAINING PROGRAM IN THE CITY HALL CAFETERIA, FOR A PERIOD OF TWO (2) YEARS WITH TWO (2) ONE YEAR RENEWAL OPTIONS, IN AN AMOUNT NOT TO EXCEED TWENTY FIVE DOLLARS (\$25.00) MONTHLY; THAT ALL REVENUE RECEIVED PURSUANT TO THIS MOU SHALL BE DEPOSITED INTO FUND, ACCOUNT, AND CENTER NUMBER: 1A01 (GENERAL FUND) 462311 (FOOD, DRINK & NOTIONS) B00001 (REVENUE CENTER); AND FOR OTHER PURPOSES.

Mayor's Staff Only

Received by CPO: \_\_\_\_\_  
(date)

Received by LC from CPO: \_\_\_\_\_  
(date)

Received by Mayor's Office: 11.13.07  
(date)

Reviewed by: *[Signature]*  
(date)

Submitted to Council: \_\_\_\_\_

(date)